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Record of the acts and pro. Rencher in his Executive Department.

1857
November 11th Governor Abraham Rencher and family, this a
The road by the Committee of Reception together w
of Citizens, who escorted him to the City of Santa Fe, a
ani address to the Citizens assembled.

November 12. This day the following oath of Office was administered.

Be it known that on this day, personally appeared before
undersigned, Justice of the Peace ind and for the County of Santa Fe,
of New Mexico, Abraham Rencher, who having produced before me a
mission from the President of the United States, appointing him the said
Abraham Rencher to the office of Governor of the Territory of New Mexico
whereupon duly administered to him, in due form of law, an oath to support
the Constitution of the United States and faithfully to discharge the duties
of said office, as prescribed by the act of Congress establishing a Territorial
government for said Territory approved September 9th 1850.

Done in the City of Santa Fé this 12th
day of November A.D. 1857.

Manuel Rodriguez
Juez de Paz.

James Buchanan
President of the United States of America.

To all who shall see these Presents, Greeting.

Know Ye, That reposing special trust and confidence in the Integrity and
Ability of Abraham Rencher of North Carolina I do appoint him to be
Governor of the Territory of New Mexico, and do authorize and empower him
to execute and fulfil the duties of that Office according to Law, and to
have and to hold the said Office with all the powers, privileges & emoluments
thereunto of right appertaining, unto him the said Abraham Rencher,
during the pleasure of the President of the United States for the time being,
and until the end of the next session of the Senate of the United States, and
no longer. This Commission to take effect, on the 31st day of October next.

In testimony whereof, I have caused these Letters to be
made patent and the seal of the United States to be
affixed.

Given under my hand, at the City of Washing-
ton the seventeenth day of August in the year of our Lo
one thousand eight hundred and fifty seven and
Independence of the United States of America the Eigh
first.

By the President (Signed) James Buchanan

Jno. Appleton
Secretary of State

84-
1857

November 4 The Governor this day appointed and commissioned Otis Gray Randall Commissioner of Deeds in the State of Massachusetts for the Territory of New Mexico.

" " The Governor this day appointed and commissioned Jesus Maria Lena y Baca Keeper of the Territorial prisoners in the County of Santa Fé.

November 21 The Governor this day appointed Charles Blummer, Treasurer of the Territory of New Mexico and his giving the required Security.

November 21 The Governor this day appointed and Commissioned Nicolas Quintana Justice of the Peace for the 4th precinct of Santa Fé County.

" " The Governor this day appointed and Commissioned Juan Maria Herald Constable for the 4th precinct of Santa Fé County.

Nov 23 The Governor this day Commissioned Miguel Barrego Constable for the 13th precinct in Rio Arriba County

" " The Governor this day Commissioned Cruz Archuleta Constable for the 10th precinct in Rio Arriba County

December 5th The Governor this day Commissioned Antonio Baca, Justice of the peace for the County of San Miguel.

" " The Governor this day Commissioned Ramon Ulibarri Justice of the peace for the County of San Miguel.

" " The Governor this day Commissioned Teodoro Sandoval Justice of the peace for the County of San Miguel.

" " The Governor this day Commissioned Guadalupe Padilla Constable for the County of San Miguel.

December 8. The Governor this day issued the following proclamation:

Proclama

Abraham Renshaw

Gobernador del Territorio de Nuevo Mejico.

A todos á quienes pertenecierc!

Por virtud del poder que me es conferido por la Ley: Yo, Abraham Renshaw, Gobernador del Territorio de Nuevo Mejico, por esto ordeno y dirijo que sean abiertas las Elecciones en los varios precintos de votacion en el Condado de San de este Territorio el Jueves dia siete del mes de Enero proximo, para la eleccion de un miembro para la Camara de Representantes de la Asamblea Legislativa del Territorio de Nuevo Mejico para llenar la vacante ocasionada por la Resignacion del Hon. Vicente Romero, y Por lo tanto, el Juez de Pruebas del dicho Condado de San

1857.

está por esto ordenado y dirijido
para que mas pueblos de su Condado,
deberán dicha Eleccion, la cual será la
de la Ley arreglando Elecciones.

Hecha en Sal
hoy dia 8 de Diciembre en el Año de Nuestro
Señor cincuenta y siete.

(Signed) A. Rencher

Por el Gobernador
Samuel Ellison
Secretario Privado

Dec 10. The Governor This day appointed Benjamin W. Arnoux, Commissioner of Deeds in the State of Massachusetts, for the Territory of New Mexico.

Dec. 14. The Governor This day approved An Act Authorizing The Legislative Assembly to elect a Public Printer.

Dec. 9th The following Message was delivered to The Assembly by Governor A. Rencher.

Gentlemen of The Council
And House of Representatives:

Impressed by the President of The United States The Chief Executive of This Territory, it is with sincere diffidence That I assume the high and responsible duties. Remote and exposed as This Territory is, and but recently attached to The Union, as a part of This Great Republic while on That account it is entitled to peculiar Consideration from The Federal Government; on That account also the duties of its Governor are rendered The more difficult and responsible.

But upon entering upon this high Office, I must congratulate myself and You, That The Territory is not disturbed by any of those distracting subjects of legislation, which are destroying The peace and prosperity of Other infant Territories. If we have our political differences, They are comparatively small, and such as we are all willing, I trust, to submit to The determinment of reason and of law. That is the Tribunal to which a free people should ever appeal our Controversies among themselves, assured That error cannot ultimately prevail as reason is left free to combat it. Self-Government is a principle which lies at the foundation of all our institutions. That the people are to govern themselves, and That every political Community is to decide for itself, the character of the laws and institutions which it is to have, is the birthright of every American dearly bought by our ancestors This is the right of This Territory, and I trust The proper Legislative Councils will be allowed to assume and is

will exercise that right, uninfluenced and unawed by foreign fanatics or border ruffians.

The exclusive power of legislation in the Territories belongs, under the Constitution, to the Congress of the United States. But in the Organic Law which constitutes do a Territory, and clothes you with the power of legislation, Congress has conferred upon you the power to legislate upon all subjects "Consistent with the Constitution of the United States and the provisions of that Act." In other words, Congress has given you, under certain limitations, the same powers of legislation, and over the same subjects, that you would have if you were a Sovereign State of the Union. As a Territorial legislature, your legislation must be consistent with the Constitution of the United States. As a State legislature, which you must one day become, you will still legislate, I trust under the same glorious Constitution.

Under our form of Government, and indeed under every form of Constitutional Government, there are two subjects of legislation; the one which is general and national in its character, and the other, which is local and peculiar to each of the States of the Union. In the formation, therefore, of our institutions, it was necessary to have Governments within a Government — imperium in imperio, as the theorists express it. Subjects of a national character, and which concern alike all the States, have been wisely given by the States to the general Government, and belong, under the Constitution, to the Congress of the United States. Such are the grave questions of peace and war; our military and naval establishments; our foreign Commerce and foreign intercourse; our post office establishments; our intercourse with the various Indian Tribes, and our public domain. These subjects, and all others necessary to their proper execution, belong exclusively to Congress. You have nothing to do with them, nor have you any right to touch them, except to address yourself by memorial and resolution to the Congress of the United States. These great interests have been committed by the people of the Territory into the hands of their delegate in Congress, whose zeal and ability are a sure guarantee that they will be properly cared for and defended.

But all these great interests, important and diversified as they are, and wisely given, as they have been, by the States to the Federal Government, constitute but a small portion of the rights and interests that belong to a State or Territory as a political community. Under the Constitution of the United States every power and every interest not expressly given to the Federal Government, has been reserved to the States and the people: and Congress has no right to touch them in any way, except to protect, as they are bound to do, the States and the people in the complete exercise and enjoyment of them.

These powers of legislation, thus reserved to the States and the people, embrace every subject and every interest which is local in its character — every subject which relates to our rights of person and of property — rights to which are amongst sacred and dear to us. The lives, the fortunes, the personal safety and that which is dearer than all, our character and reputation, depend, under the Constitutions and the organic law, alone upon your legislation

Every encouragement for the internal improvement of your, and what a vast field does wealth of this Territory. Though comparatively Your hidden treasures would perish upon the Your mines of Gold, Silver, Copper and Lead as to those of California, where the Federal Government it necessary to establish a branch mint for their Coin ore and Coal, those great elements of national wealth best in the World, and your mountains and Valleys are It is true we are too remote from Commerce to be able to sell iron for other States, but surely we should not continue to be taxed them, at five times the price for which we could manufacture a like article at home. So too of many other articles of domestic consumption. This Country is distinguished for its pasturage. Your flocks and your herds constitute much of your wealth, and yet your surplus wool is not cut on the dunghill, or be sent across the plains to be manufactured, and brought back here and sold to you, at four or five times the price for which you could manufacture as good and article at home. It does not require any great amount of capital or of skill to manufacture iron or coarse woolen goods; but it requires a beginning, and until it is done, whether as a Territory or a State, we must always remain dependent upon other States; and the products of our industry and our wealth will be drawn in transportation across the plains.

Equally important to the Territory is the improvement of her agriculture. The cultivation of the soil is an occupation upon which we all depend, and by which most of us live. Every improvement, therefore, in agriculture is an individual as well as a national benefit, which is only a repetition of the maxim, that he should be considered a public benefactor who makes two blades of grass to grow, where only one grew before. What a great blessing it would be to the people of this Territory, if by an improvement in agriculture, its crops could be doubled; and yet it has been done elsewhere, and may be again done. Providence has blessed us with a most genial climate and a rich soil, but we are denied those fructifying showers, with which other portions of our happy Country are blessed. But, no doubt, there are thousands of acres of land, now lying idle and waste, which might be brought into successful and profitable cultivation, by the employment of proper agricultural implements and the introduction of grains suitable to the soil and seasons. If, for example, by the introduction of the Chinese sugar Cane, we could manufacture our brown sugar, how important it would be to the people, and what a saving to the Territory! It is not expected that you can give any legislative aid at present, to the cause of Agriculture; but by your example and at home, you can do much to encourage and improve this most branch of national industry.

I have only time to glance very rapidly over the vast which lies before you, and to touch you only important subjects. But I should be

occasion, if I failed to bring to your favorable notice the great cause of education. Not simply the education of the rich, by the endowment of Colleges: but the education of the masses by Common Schools. In a government like ours, depending essentially, as it does, upon public opinion, it is all important that public opinion be enlightened. Public schools, therefore, for the education of those who are not able to educate themselves, ought to be the first duty of every Statesman and patriot. While it is the best means of promoting every other improvement in the State, it is the only sure means of preserving our free institutions, and of transmitting them unimpaired to our posterity. The donation of public land, made by Congress for the support of Common Schools in this Territory, is not yet available, and until it can be made so, it is not expected you can do much upon this important subject. But if you can do but little, it will at least be the commencement of this noble work - the education of the poor. And in the language of a great poet: ——

"Who does the most this circumstance allows,
Does well, acts nobly, angels could no more."

I herewith submit for your consideration the Report of the Treasurer of the Territory, and that of the Auditor of Public Accounts. From these Reports it appears, that the amount of Warrants drawn upon the Treasury for the fiscal year ending the 15th day of November, 1857, was, in round numbers, $10,973; while the amount of cash received for the same year was only $7,664, leaving a deficiency for the year of $3,309. This added to the amount of debt, outstanding at the beginning of the fiscal year, will make the total debt of the Territory $9,872. In the opinion of the Auditor of public accounts, this debt will be reduced about $1,500 by the final return of certain Collectors who are still in default.

From this statement of the financial condition of the Territory, it appears that an additional increase of the revenue is inevitable. To allow your warrants to be at a large discount, is unjust to the public Creditor, and highly injurious to the character of the Territory. It will be for you to determine how this additional revenue shall be raised, with least inconvenience to the people who pay it. But I would suggest, that upon whatever property the taxes are laid, it should be an ad valorem Tax, and paid according to the value of the property, or the amount of merchandize. Any other principle of taxation must work great injustice.

I call your attention also to that portion of the Auditor's report, from which it appears that we pay the salaries of a Keeper and Assistant Keeper of a Territorial prison, although there is no such prison; and that the Territory is at great expense in sending Convicts to this Territorial prison, wherever such an existence. I recommend, therefore, that the law on this subject be repealed, and that each County be required to provide itself with a safe Jail in which to confine its own Convicts. The punishment of offenders is properly a County charge, and should not be a Territorial one.

The unfinished condition of the Public Buildings at this place is much to be regretted by many citizens, especially that of the Penitentiary, which

appears to me so essential to the ... tion of the Criminal laws of this Territ... Superintendent of Public Buildings to ... of the exposed condition of these Buildings, ... amount necessary to their completion; which ... -ted to the Secretary of the Treasury, with an earn... an early appropriation might be made by Congress to ...

Of become my duty, also, to call your attention to an ... of more importance to the Territory, and of much more dee... of complaint. I allude to a recent decision of the Supreme Court ... the Territory, by which the people in most of the Counties have ... virtually deprived of Courts of Justice. Under this decision there are ... only three places at which Courts are now holden within the broad ... limits of this Territory. Suitors from every part of the Territory must ... prosecute their suits there, at great loss both of time and money, ... and a great hazard to their lives; or give them up altogether. Every ... Jail delivery must be there, from every County however remote, and a ... great expense to the County; or Criminals must be allowed to go unpunished. ... It is only necessary to state the facts to show the hardship and oppres... sion under which the people are suffering from this recent change in ... their Judicial system. Doubtless the Court thought itself justified by the ... law under which it acted. But with great deference for the Court, and ... profound respect for the Judges, I do not think the law justified so hasty a conclusion. Certainly it was never the intention of Congress thus to deny ... Courts of law to the people of the Territory, or to tantalize them with the ... mere appearance of Justice, without its reality. It is the boast of American ... Jurisprudence, that it is not only open to all alike, but it carries justice ... to every man's door. If you would have people know the laws and respect ... them, they must be administered among them. They must see and hear ... Judges expound the law, and themselves share in its administration. This ... why should it not be so here? There are nine Counties in the Territory, ... and the utmost extent, therefore, of the services of each of our Judges would ... be to hold seven Courts during the year, six in the Counties and one Supreme ... Court at the Capital, hardly occupation enough to keep his judicial knowledge bright; for it was the opinion of a great English lawyer, that to make a good Judge, you must keep him occupied.

I recommend, therefore, that the Causes now in the three district Courts be remanded to the Counties in which they originated, under the fullest authority that Congress cannot hesitate, at once, to repeal the obnoxious ... act, which has been made thus to overturn, not only the body of the law to which it is attached, but also the fundamental and ... law of the Territory.

~~I have thus, Gentlemen, given you my views of the duties which attach to you as a Legislative body. Those which I proposed to submit, I now leave with confidence in your~~
~~have the Consideration of them.~~

of the Territory, and intimately acquainted with the wants of your Constituents, I am well able to supply their defects, and correct the errors into which they may have fallen. In matters of legislation, my duty is only Concurrent; but I promise you in advance my hearty co-operation in every measure Calculated to promote the interest of the Territory, and the good of her people. My most important duty will be, faithfully and impartially to execute your laws. As this is my chief, so it has been made my diverse duty; and in assurance that I could give you proof this place, could add to the solemnity of that oath, I pray God that our joint efforts may advance the welfare of the Territory and the happiness of the people.

Dec. 2 1st The Hon. A. M. Jackson, Secretary of the Territory of New Mexico, this day arrived from the States, and assumed the duties of this Office and placed and filed in the Secretary's Office the following oath of Office. —

District of Columbia
City of Washington } ss

I, Alexander M. Jackson, having been appointed Secretary of the Territory of New Mexico, do solemnly swear that I will support the Constitution of the United States, and well and truly discharge the duties of said Office to the best of my ability

Sworn to and subscribed
before me this 7th day of
November A.D. 1857 at
the City and District aforesaid
(signed) Johnson A Campbell
Associate Justice of the
Supreme Court of the
United States

(signed) Alexander M. Jackson

December 29th The Governor this day concurred in the passage of a Memorial, praying Congress for an appropriation for school purposes in the Territory. Also — Approved and signed a Joint Resolution repealing a Joint Resolution relative to Judge Percy E. Brocchus. — Also a memorial to Congress in relation to public schools.

December 31st The Governor this day concurred in a Joint Resolution authorizing Governor's message to be printed. — Also An Act to legalize certain Acts heretofore passed by the Legislative Assembly.

1858
January 5th The Governor this day approved the following Acts: —
1. An Act repealing An Act entitled An Act relative to actions before Justices of the Peace
2. An Act establishing three additional precincts in the County of Dona Ana.

The Governor this day appointed & Commissioned Charles F. Beerham Commissioner of Deeds in the State of California for New Mexico.

The Governor this day appointed and Commissioned, Charles Blummer, Territorial Librarian for the term of two years.

1858
January 15th The Governor this day appointed Wm
Marle, Auditor of Public Accounts for the

" " The Governor this day appointed and Commr
Major General of the 3rd Division of the Militia &c

January 15. The Governor this day approved and signed the follows
1. An Act creating additional precincts in Socorro County
2. An Act, amending Section Second of An Act prohibiting
testimony by interrogations, Approved Feby 12th 1851.
3. A Bill to be entitled "An Act repealing an Act establishing
penitentiary Approved February 1st 1855, and a Joint Resolution
relative to Repairs on Palace.

January 15 The Governor this day Commissioned Antonio José Ortiz, Justice of
the Peace for the County of Taos

" " The Governor this day Commissioned Seaus Mª Chavez, Justice of the
Peace for the County of Taos.

January 23d The Governor this day Approved and Signed An Act entitled An Act giving
jurisdiction to Probate Judges in Criminal Cases and for other purposes.

January 27. The Governor this day approved and signed the following Acts to wit:
1. An Act providing for the recovery of Stolen property and
2. An Act creating additional precincts in Taos County.

Jan. 29. The Governor this day Approved a Joint Resolution relative to the publication
of the Laws and Journals of 1857-58.

January 30th The Governor this day Approved An Act creating a new electoral precinct in
the County of Valencia.

" " The Governor this day Approved An Act to repeal An Act approved January 29th
1857, reducing the Salaries of the Auditor of Public Accounts and Treasurer.

" " The Governor this day approved A Bill to be entitled An Act fixing the line
between the 1st and 9th precincts of the County of Santa Fé

February 1st The Governor this day approved and signed the following Acts to wit:
1. An Act to be entitled An Act to amend the Law concerning Coroners
2. An Act to incorporate the New Mexico mining Company
3. An Act to provide for the selection and security for the Territorial
Revenue
4. An Act of Limitations.

MENSAGE ESPECIAL.

DEPARTAMENTO DEL EJECUTIVO,
Enero 4 de 1858.

Señores del Consejo
y de la Camara de Representates:

Pido la venia para llamar la atencion de la Asamblea Legislativa, á algunos errores que anteriormente han existido relativo á los poderes del Gobernador de este Territorio.

Por la Ley Orgánica, el Gobernador está constituido como una parte del poder legislativo: pero la Ley Orgánica declara, en terminos espresos, la parte que le es conferida: "aprobará todas las *Leyes* pasadas por la Asamblea Legislativa antes que tomen efecto," ó en otras palabras, el Gobernador posee el poder absoluto para aprobar ó desaprobar *todas las leyes* pasadas por la Asamblea Legislativa. Parece de esto haber sido inferido, que el Gobernador tenia el mismo poder sobre todos los demas Actos de la Asamblea Legislativa, y que tenia el poder para aprobar ó desaprobar Resoluciones, Memoriales, ó peticiones, las cuales no son Leyes, ni son tenidas como tales, sino la mera espresion de una opinion por la Asamblea Legislativa, ó de un deseo elevado por ellos al Congreso de los Estados Unidos, quien unicamente tiene el poder de juzgar, y para aprobar ó desaprobar. Mas sobre este asunto se vera refiriendose á la Ley Organica, que el Gobernador no tiene ningun poder para gobernar la accion de la Asamblea Legislativa. El Congreso no le ha conferido tal poder, nunca era la intencion concederlo, y aun no podia haberlo *conferido*. El derecho de memoralizar al gobierno para remediar agravios," es un derecho asegurado por la Constitucion de los Estados Unidos, a todo individuo no obstante cuan humilde sea. Decir, pues, que la Asamblea Legislativa, representando el pueblo del Territorio, no puede memoralizar al Congreso para remediar agravios, sin el permiso ó aprobacion del Gobernador, no solamente seria inconsistente con la Constitucion de los Estados Unidos, sino tambien con la ley orgánica del Territorio.

En nuestro gobierno, el poder del veto es un poder fuerte, y fué concedido únicamente para protejer al pueblo, contra leyes hechas violentamente é irreflecsivas, y no puede ni debe ser aplicable á ninguna otra cosa. En todas las resoluciones, cuando no es la intencion de dar la fuerza á una ley, y en todos los memoriales dirijidos al Congreso suplicando alivio ó remedio de agravios se acostumbra ser el Gobernador el órgano de comunicacion para transmitirlos; y en hacerlo, espresa su propio parecer en favor del objeto pretendido por la Asamblea Legislativa. Esta es la practica que prevalece en otros cuerpos legislativos, y la cual siempre desempeñaré con placer cuando quiera que sea suplicado de hacerlo por la Asamblea Legislativa.

Otra practica ha prevalecido en el Departamento Ejecutivo, la cual, en mi opinion, es igualmente sin autoridad de ley. Es aquella de aprobar proyectos despues de la prorroga de la Asamblea Legislativa. Este error si acaso lo es, es mucho mas serio y es mas perjudicial que el otro Ninguna ley asi firmada puede tener validez alguna, á menos que sea re-decretada despues. Consiste la Legislatura de tres ramos—el Consejo, la Camara de Representantes, y el Gobernador Los cuales precisamente han de concurrir en la formacion de una ley, y aquella concurrencia ha de ser durante la sesion de la Legislatura. Si uno ó dos de los ramos se prorrogaron antes de la concurrencia del otro, el acto de este es nulo. Estos principios son demasiado claros para ser dudados ó discutidos. Pero se dice, que la firma del Gobernador, despues de la prorroga de los otros dos ramos esta autorizada por una Ley de la Legislatura Territorial, la cual da al Gobernador el poder para firmar despues de la prorroga de la Asamblea Legislativa, y asi sana el defecto. Puede ser asi, con tal que el Gobernador apruebe el proyecto, durante el tiempo señalado por el Congreso de la duracion de la sesion, mas aun esto es dudoso.

Por la Ley Orgánica del Territorio, "*ninguna sesion escedera el termino de sesenta dias.*" Ninguna ley pasada despues de la espiracion de aquel tiempo puede tener validez alguna, aunque sea firmada por todos los ramos de la Legislatura. Despues de la espiracion de los sesenta dias la Legislatura es difunta. Es en vano, pues, intentar por ley alguna de la Legislatura Territorial, capacitar al Gobernador de hacer lo que toda la Legislatura no puede hacer—y es hacer una ley despues de la espiracion del termino limitado por el Congreso.

Lo he considerado como mi deber llamar la atencion de la Asamblea Legislativa a este importante asunto, con el fin de que puedan disponer de los negocios ante la misma, en tiempo de dar lugar al Gobernador de ecsaminar y aprobar los proyectos pasados por ambas Camaras antes de la espiracion de la sesion; la cual en toda probabilidad continuará hasta el fin de los sesenta dias limitados por la Ley Orgánica. Ó al contrario no tendré facultad para aprobarlos, y si fuesen aprobados no tendrian ninguna validéz por la ley.

[firmado] A. RENCHER,
Gobernador.

Traducion.

1858

February 1st The Governor this day Commissioned Jesus Mª Silva, Justice of the Peace in and for the County of Santa Fé

February 3d The Governor this day approved Bills of the following title to wit:

An Act relative to witness fees.

An Act creating the Precinct of Peuries, and

An Act entitled An Act amending the law relative to Ejectments and

A Joint Resolution relative to the distribution of the Law concerning Alcaldes Courts.

The Governor this day vetod An Act relative to the revision of the laws of the Territory, and assigned the following reasons therefore:

Executive Department
Santa Fé, February 3d 1858.

To the House of Representatives
Territory of New Mexico:

I have examinated the above Act of the Legislative Assembly entitled "An Act providing for a revision of the Laws of the Territory of New Mexico," and herewith return it to your House with my objections.

It simply provides for a codification of the laws by a single individual, a labor which was done easily 10 years ago, and therefore unnecessary at this time. It would in my opinion, be a useless expenditure of the Public money, and therefore I cannot sign the Bill.

The appointment of a commission of two or more competent persons to collect and systematize the laws now in force in the Territory and to propose such corrections and amendments as to them may seem necessary and proper, and to report the same to the next or some succeeding Legislature for their adoption would be a work of great value to the Territory and one that is very much needed.

Very Respectfully
A. Rencher
Gov.

February 4th The Governor this day approved Bills of the following titles to wit:

An Act repealing An Act approved February 5th 1856 relative to masquerades &c.

An Act creating an Additional Precinct in the County of Rio Arriba

A Joint Resolution relative to Territorial property.

" The Governor this day Commissioned Jesus Mª Silva, Justice of the peace in and for the County of Santa Fé.

1858

February 4th The Gov. Governor this day, by and with the Council, appointed and commissioned the following Justices, to wit.

For the County of Santa Fe:

Josh. H. Houghton &
Simeon Delgado.

For the County of Taos.

Charles Beaubien
Horace Lang

For the County of Rio Arriba

José Antonio Manzanares
Juan Garcia.

For the County of San Miguel.

Levi J. Keithley
Miguel Romero y Baca.

For the County of Santa Ana Francisco Sandoval
José Maria Mora.

For the County of Bernalillo.

Francisco Sarracino
Henry Winsdow.

For the County of Valencia

José Salazar
Francisco Antonio Chavez

For the County of Socorro.

Andres Romero
José Baca y Pino.

For the County of Dona Ana.

Juan Ygnacio Oravita
Henry Connelly.

February 4th The Governor this day, by and with the consent and advice of the Council, appointed and commissioned the following persons to be Circuit Attorneys to wit.

Richard H. Thompkins to be Circuit Attorney for the 2nd Judicial District composed of the Counties of Santa Fe, San Miguel and Santa Ana.

Theodore D. Wheaton to be Circuit Attorney for the 1st Judicial District composed of the Counties of Taos and Rio Arriba.

Ezekiah Johnson to be Circuit Attorney for the 3rd Judicial District composed of the Counties of Bernalillo, Valencia, Socorro & Dona Ana.

March 9th The Governor this day appointed and commissioned Horace Lang a Justice for the County of Taos

" " The Governor this day appointed and commissioned R. H. [illegible] Attorney General of the Territory of New Mexico.

1858

March 13th The Governor this day Commissioned Stevenson Archer a Notary Public in and for the County of San Miguel in this Territory.

March 16th The Governor this day Commissioned Salvador Fernandez a Constable elected for the 12th Precinct of Rio Arriba County in this Territory.

(INDEXED) The Governor this day pardoned Marcial Tafoya, who was convicted on the District Court of the First Judicial District at the September Term 1856, of the Crime of Murder in the fourth degree, and sentenced to five Years imprisonment in the Penitentiary at hard labor.

March 19th The Governor this day Commissioned Simeon Sandoval, Sheriff for the County of Santa Ana in this Territory.

March 29th The Governor this day appointed and Commissioned George Gold to be Associate Justices of Probate in the County of Taos.

March 30th The Governor this day appointed and Commissioned Arthur M Burton, Commissioner of Deeds in the State of Pennsylvania for the Territory of New Mexico.

March 30th The Governor this day Appointed and Commissioned John M Carolan (INDEXED) Commissioner of Deeds in the State of Texas for the Territory of New Mexico.

April 26th The Governor this day commissioned Cristoval Romero Constable for the County of Bernalillo

April 28th The Governor this day Appointed and Commissioned Thomas H. Seagarden Commissioner of Deeds in the State of Missouri for the Territory of New Mexico

May 3rd The Governor this day pardoned Cristoval Alire, who was convicted at the March term 1858 of the District Court, held in and for the County of Santa Fe, of petit larceny, and sentenced to three months imprisonment in the County Jail at hard labor.

May 14th The Governor this day reprieved William Jackson a prisoner confined in the County Jail of Santa Fe County, under the sentence of the District Court of the United States for the District of Socorro, on the condition that said Jackson shall enter into bond with two sufficient good and sufficient securities, in the sum of Five Hundred Dollars, payable to Territory of New Mexico, and conditioned for the return of said Jackson into Custody in case of the failing of the President of the United States to grant him a full pardon.

The Governor this day appointed and Commissioned Meregildo Guerra, Captain of the Mounted Rifle and Mexican Mounted Volunteers of the Militia of the Territory of New Mexico

1858
May 17th The Governor this day appointed and Com
Lieutenant of the Company of Mesilla and
Militia of the Territory of New Mexico

May 17th The Governor this day appointed and Commissioned Juan
of the Company of Mesilla and Mesa, Mounted Volunteer
the Territory of New Mexico.

" " The Governor this day appointed and Commissioned John Patton, Esqr
of the Probate Court of the County of Dona Ana.

May 22nd Richard H Tompkins Esqr having been appointed Attorney of the U
States for the said Territory, this day filed with the Secretary of the Territory,
his oath of Office duly Certified by Nicolas Quintana, Justice of the Peace, which
oath and the Certificate thereof, are here recorded as directed by Sec. 12 of the
Organic Act of said Territory.

United States of America
Territory of New Mexico
County of Santa Fé

I, Richard H. Tompkins, do Solemnely Swear, that I will Support
the Constitution of the United States and faithfully discharge the duties of
the Office of U.S. District Attorney for said Territory to the best of my
ability So help me God.

(Signed) R. H. Tompkins

Territory of New Mexico
County of Santa Fé

I Nicolas Quintana, a Justice of the Peace in and for said Territory
and County, duly authorized to administer oaths and affirmations by
the laws now in force therein, do hereby Certify, that the above named Richard
H. Tompkins, did on the twenty second day of May A. D. 1858, before me
take and Subscribe the above oath of Office.

Given under my hand this 22nd day of May A. D. 1858.

(Signed) Nicolas Quintana
Justice of the Peace.

May 22nd The Governor this day Commissioned Antonio Lovato, Justice of the Peace
the County of Santa Fé.

" " The Governor this day Commissioned Diego Gallegos Constable for the
of Santa Fé

1858.

June 1st The Governor this day pardoned one Thomas McKeon who was convicted at the late term of the Probate Court held in and for the County of Bernalillo in this Territory, of the Crime of Burglary, and sentenced to be whipped and two years imprisonment, the first part of which punishment has been suffered by the said McKeon.

July 16th The Governor this day appointed and Commissioned Augustus D. Kange Commissioner of Deeds residing in the City, County and State of New York for the Territory of New Mexico.

" " The Governor this day appointed and Commissioned George Fisher, Commissioner of Deeds in the State of California, resident at San Francisco for the Territory of New Mexico.

" " The Governor this day appointed and commissioned Moses B. Carson, Notary Public, residing at Taos in the County of Doña Ana in this Territory.

August 3rd The Governor this day issued the following

United States of America
Territory of New Mexico

Executive Office
Santa Fé New Mexico
August 3rd 1858.

William Jackson is delivered to Thomas H. Hopkins, C.P. Cleaver, A.H. Pfeiffer and John Henry Mink on Bail on a Capi Corpus, to abide the result of a repriève granted to him by me of a Sentence on Conviction at the Suit of the United States on a charge of Murder

In testimony whereof I have hereunto set my hand and caused to be affixed the Great Seal of the Territory of New Mexico. Done at Santa Fé, New Mexico this third day of August, in the Year of Our Lord One Thousand Eight hundred and fifty eight

(Signed) A. Rencher
Gov. N.M.T.

By the Governor
A. M. Jackson
Secretary of the Territory.

The Governor this day appointed and Commissioned Clement W. Howard Notary Public in and for the County of Taos in this Territory.

1858.

August 23d. The Governor this day appointed Clarke Notary Public in and for this Territory.

August 24th. The Governor this day appointed and Commissioned Notary Public in and for the County of Socorro Ter.

August 24th. The Governor this day issued the following Proclamation:

Proclama.

Abraham Rencher

Gobernador del Territorio de Nuevo Mejico:

A todos á quienes pertenecière:

Por virtud del poder que me es conferido por la ley. Yo, Abraham Rencher, Gobernador del Territorio de Nuevo Mejico, por esto ordeno y dirijo que sean abiertas las Elecciones en los varios precintos de votacion en el Condado de Bernalillo de este Territorio el lunes dia 6 de Setiembre proximo, para la Eleccion de un Juez de Pruebas para dicho Condado para llenar la vacante ocasionada por la resignacion del Hon. Julian Pereal.

Por lo tanto: El Juez de Pruebas del dicho Condado de Bernalillo está por esto ordenado y dirijido de dar Avisos publicos en los parajes mas publicos de dicho Condado, de los lugares y tiempos de tener dicha Eleccion, la cual debe será conducida segun los provistos de la Ley arreglando Elecciones.

Hecho en la Ciudad de Santa Fé hoy el dia 24 de Agosto en el Año de Nuestro Señor de mil ochocientos Cincuenta y Ocho.

(Signed) A. Rencher
Gov.

September 18th. The Governor this day Commissioned the following County Officers viz:

For the county of Valencia.

Justices of the Peace

Ambrocio Pino
Pablo Chavez
José Padilla
José Manuel Salas
Ramon Luna
Franco Castillo y Pino
Gregorio Otero
Miguel Alona
Bernardino Torres
Juan Salazar Otero
Franco Romero y Campos
Romulo Chavez
Calixto Baca
Maximo Montoya
Manuel Casias
Dimas Torres
Franco Antonio Vigil
José Leuterio Rivera
Agapito Salas
Marcos Romero
José Trujillo

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September 20th The Governor this day commissioned the following County Officers of the Territory who were elected at the late Election held within their respective Counties on the 6th day of the present month viz.

For the County of Bernalillo.

Justices of the Peace.

Rafael Armijo Judge of Probate.
José Manuel Otero 1st Precinct
Franco Armijo " 2nd do
Pedro Antonio Montoya " 3rd do
Ygnacio Romero " 4th do
Miguel Garcia " 5th do
José Domingo Gu " 6th do
Mariano Armijo " 8th do
José Benancio Padilla " 9th do
Pedro Candelaria " 11th do
Vicente Gonzales

Constables.

Francisco Gutierrez
Pedro Antonio Salazar
Santiago Garcia
José Jaramillo
Juan Pablo Martin
Rafael Gallego
Pablo Griego
Nestor Garcia
Ventura Montoya
Atanacio Arias
Mateo Suarez.

For the County of Santa Ana.

Justices of the Peace.

Francisco Baca for the 1st Precinct
Francisco Armijo " " 2nd "
Juan Cristoval Gurulé " 3rd "
Vicente Romero " 4th "

Constables.

Patricio Silva
Bautista Montas
Eulogio Mora
Jesus Barreras.

For the County of Rio Arriba.

Justices of the Peace.

Manuel Antonio Mes for 1st Prec
Jesus Maria Rael " 2nd "
Jesus Maria Barela " 3rd "
Juan Manuel Gallegos " 4th "
Geronimo Gallegos " 5th "
Franco Antonio Garcia " 6th "
Jesus Maria Lujan " 7th "
Juan Nepomuceno Martin " 8th "
Reumaldo Valdez " 9th "
Ysabel Martin " 10th "
José Dolores Garcia " 11th "
Leonicio Vargas " 12th "
Florencio Borrego " 13th "
Vicente Mandragon " 14th "
José de la Cruz Lujan 15th "

Constables.

Antonio Griego
Luis Maria Garcia
José Pablo Jaramillo
Pedro Archuleta
Agapito Madrid
Bartolo Vigil
Juan Trujillo
Francisco Ant.o Vigil
Marcelino Garcia
Cruz Archuleta
José Maria Montas
Casimiro Valdez
Felipe Valdez
José Patricio Lopez
Rafael Herrera.

For the County of Santa Fe.

Justices of the Peace.

Ramon Sena for the 1st Precinct
Antonio Trujillo " " 2nd "
Ramon Sena " " 3rd. "
Nicolas Quintana " " 4th "
Vicente Lopez " " 5th "
Pedro Delgado " " 6th "
" " " 8th "
" " " 9th "

Constables.

Marcos Salas
Juan Jimenez
Anastacio Rodriguez
Luis Abrid
Benito Romero
Ygnacio Narvaiz
Rafael Ortiz
Juan Lucero

September 20th

For the County of

Justices of the Peace

Benigno Urban
Nasario Gallegos
Andres Baca
Antonio Vigil
Julian Sisneros
José de Jesus Duran y
Atanacio Garcia
Manuel Aragon
José Guadalupe Garcia
José Maria Aragon
Ramon Leyba
Miguel Sena y Quintana

G.
Julia
Victorina
Tomas Otis
Pablo Mares y
Pedro Antonio Lucero
Miguel Romero y Gutz

For the County of Socorro.

Justices of the Peace

Pilar Cordova
Guadalupe Jaramillo
Pablo Alderete
Juan Albino Gonzales
Roberto ~~Sedano~~ Stapleton
Reyes Armijo
Rosmaldo Silva
J. Francisco Apodaca
Juan Andres Contreras
Dolores Gallegos

Constables

José Rafael Gutierrez
Francisco Baca
Reyes Casias
Antonio Jaramio
José Aragon
Nicolas Romero
Juan Maria Garcia
Roque Mes
Pedro Romero
Benito Baca

Hon. Kirby Benedict having heretofore filed his oath of Office as Chief Justice in the Office of the Secretary of the Territory, it is now recorded as follows:

Territory of New Mexico
County of Bernalillo. ss.

I, Kirby Benedict, in the presence of Almighty God, do solemnly swear, that I will faithfully discharge the duties of the Office of Chief Justice of the Supreme Court of the Territory of New Mexico and that I will support the Constitution of the United States of America. So help me God.

Taken and subscribed by me this 28th day of July 1858 at the town of Albuquerque within the County and Territory above mentioned.

(Signed) Kirby Benedict

Territory of New Mexico
County of Bernalillo. ss.

Be it remembered that on 28th day of July A.D. 1858 at the said County & ~~on~~ said Territory before me, Manuel Garcia ~~as~~ ~~and~~ the Peace within ~~and~~ the said ~~Co~~ ~~and~~ commissioned and qu

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1858. Benedict, appointed Chief Justice of the Supreme Court of said Territory and took and subscribed in due form, the foregoing oath of Office to which his name appears with his own handwriting. Given under my hand and seal at the Town of Alburquerque in the County and Territory and at the date herein before stated.

(Signed) Manuel Garcia
Justice of the Peace.

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Hon Wm. S. Boone having filed his oath of Office as Associate Justice of the Supreme Court of said Territory, in the Office of the said Secretary, it is recorded as follows:

Territory of New Mexico
County of Santa Fé

I William S. Boone having been duly Commissioned an Associate Justice of the Supreme Court of the Territory of New Mexico Do Solemnly Swear that I will Support the Constitution of the United States, and that I will faithfully discharge the duties of my said Office.

(Signed) W. S. Boone.

The United States of America
Territory of New Mexico

I Alexander M. Jackson, Secretary of the Territory of New Mexico, do hereby certify, that on this the 28th day of September A.D. 1858, before me personally appeared William S. Boone, Associate Justice of the Supreme Court of said Territory, who being by me duly Sworn, took and subscribed the foregoing oath of Office.

In witness whereof I have hereunto set my hand and the seal of my said Office, at Santa Fé in said Territory, the day and year above written.

(Signed) A. M. Jackson
Secretary of the Territory of N. Mexico

Sept 30th The Governor this day appointed and Commissioned Wm A. M. Van Boekkelen Notary Public to reside at Fort Defiance in this Territory.

October 6th The Governor this day Commissioned Miguel Gonzales to be a Justice of the Peace for the 7th Precinct of the County of Santa Fé in this Territory.

" The Governor this day appointed and Commissioned Miguel Sisneros to be a Constable for the 7th precinct of Santa Fé County in this Territory.

1838

October 7th The Governor this day appointed
to be a Commissioner of Deeds, resident
Missouri, for the Territory of New Mexico

The Governor this day appointed and Commissio
Headley to be a Commissioner of Deeds in the Sta
for the Territory of New Mexico

October 9th The Governor this day appointed and Commissioned Amasa [illegible]
be a Commissioner of Deeds, resident in the State and City of New Y
for the Territory of New Mexico.

Nov. 12th The Governor this day Commissioned Mariano Salcedo to be a
Justice of the Peace of the 7th precinct in the County of Bernalillo.

Nov. 12th The Governor this day appointed and Commissioned the following
persons, to wit: Benito Gonzales, Telesforo Martinez & Romualdo
Martinez to be Constables for the County of San Miguel

Nov. 13th The Governor this day Commissioned the following named Justices of the
Peace and Constables duly elected at the late General Election in and for the
County of Taos — to wit —

Justices of the Peace

José Montoya	for the	1st Pct.
Juan de los Reyes Romero	" "	2nd "
Juan Antonio Zamora	" "	3rd "
Marcelino Torres	" "	4th "
Juan de Jesus Suazo		5th
Nestor Martinez	" "	6th "
Eusebio Medina	" "	7th "
Cristoval Romero	" "	8th "
Francisco Gonzales	" "	10th "
Desiderio Garcia	" "	11th "
Francº Quintana	" "	13th "
Vicente Romero	" "	14th "
John Alvarez	" "	15th "
Juan Gabriel Chacon	" "	16th "
Antonio Galvis	" "	17th "
Pablo Ortega	" "	18th "
Victor Garcia	" "	20th "
Ramon Vigil	" "	21st "
José Duran	" "	22nd "

Constables

Pedro Cisneros	for	1st Pct.
Juan R. Garcia	"	2nd do
Pedro Gonzales	"	3rd do
Francisco Cortez	"	4th do
Juan B. Cuea	"	5th do
Juan Archuleta	"	6th do
Gervasio Duran	"	7th do
Nepomuceno Ortega	"	8th do
Antonio Medina	"	9th do
Anastacio Trujillo	"	10th do
Rafael Martinez	"	11th do
Pedro Maldonado	"	12th do
Desiderio Valdez	"	13th do
Francisco Gallegos	"	14th do
Juan Gabriel Chacon	"	15th
Francº Martinez	"	16th
Clemente Trujillo	"	17th
Mariano Cardova	"	18th
Simon Garcia	"	19th
Francisco Garcia	"	20th
Pedro Padilla		
Vicente Baca		

1858

November 26th The Governor this day appointed and Commissioned L. W. Hastings to be a Notary Public resident in the County of Dona Ana in this Territory.

December 4th The Governor this day Commissioned the following Volunteer Officers, in the County of Socorro Vizt:

Robert Stapleton Captain of the Company
Jesus Luna ——— First Lieutenant
Felipe Montoya Second do
Bartolomé Ortiz First do

December 7th The Governor this day Commissioned Esteban Sena to be a Justice of the Peace for the 8th Precinct County of Santa Fé in this Territory.

" " The Governor this day Commissioned Ignacio Narvaiz to be a Constable for the 6th Precinct County of Santa Fé, and José Rafael Anaya for the same office for the 8th Precinct in the same County.

" " The Governor this day accepted the resignation of Francisco Ant.o Chavez, Associate Justice of Valencia County.

December 8. The Governor this day delivered the following Message to the members of the two Houses of the Legislative Assembly of the Territory of New Mexico

Gentlemen of the Council
and of the House of Representatives:

I am happy to meet, on this occasion, the Representatives of the people, called together as you have been from all parts of the Territory, to consult for the public good. In the few observations which I am about to submit to you, I shall confine myself to such measures of legislation as appear to me most necessary and proper. No doubt your more intimate knowledge of the country and its wants will enable you to supply many others equally necessary and important.

There are many subjects upon which you have no power whatever to legislate, but which are, notwithstanding, of vital importance to the Territory. These subjects belongs exclusively to the powers and duties of the Federal Government, and which we must appeal for relief or redress of grievances. Such subjects have been committed into the hands of your Delegate in Congress; but who, however able and zealous he may be, will be greatly aided by Resolutions and Memorials from the Legislative Assembly. To these subjects, therefore, I shall first invite your attention.

The subject of Indian depredations is one of prominent importance to the people of the Territory. The wrongs which they have suffered at the hands of the Indians, ever since it was a Territory, have been enough to exhaust both the energies and patience of any people upon earth. They have borne this long, and suffering as they have unexampled forbearance. They have confided in the parental assurances

of the Federal Government, that as their own wrongs, the United States up to this time the promise has been not only to be approved June 30th 1834, the United States guarantees eventual indemnification: Provided, that injured parties, in the provisions of that Act, by seeking or attempting to see or revenge." The people of the Territory have been forbidden to re- and have in consequence been promised an eventual indemnity have, in many instances, been restrained from the lawfully and recapture of their own property when taken by the Indians, in the fear of incurring the displeasure of the Federal Government, and by forfeiting their claims upon it. But the recapture of one's own property when taken by the Indians, is not seeking or attempting to seek private satisfaction or revenge. It is not only a right, but is a duty which be- longs to every man, and which the laws of the United States do not forbid. I recommend, therefore, that the Legislative Assembly memorialize Congress in the most earnest manner, to constitute a Board of Commis- sioners to adjudicate these claims for Indian depredations, with a view to that eventual indemnification which has been so long promised by the United States, but which they have never performed.

Of not less importance to the Territory is the subject of private land claims. While there is so much uncertainty in land titles in the Territory, with no suitable tribunal to investigate and decide upon them, there must be a standstill to the settlement, as well as to the improvement of the Country. As the law now stands, the Surveyor General is directed to report the facts to Congress with his opinion upon them. But a Surveyor General is not appointed to office with any reference to the knowledge of law, and is not supposed to have the legal learning so necessary to the investigation and decision of difficult land titles. Congress, therefore, would not take the opinion of the Surveyor Gener upon questions of law, nor would they be governed by his statement of facts, which in the absence of any solicitor on the part of the United States, would necessarily be ex parte. The consequence would be, that most of the cases would remain for years as the unfinished business of Congress, and would ultimately be sent back here for the investigation and decision of a Board of Commissioners. I, therefore, recommend that you memorialize Congress for the establishment of such a Board at once, composed of able and experienced lawyers, having time and ability to investigate and decide upon land titles. A Board otherwise composed would be worse than worthless. Certainly much worse than the present system. If thought advisable for the sake of economy, such a Board might be charged with the additional duty of deciding upon claims for Indian depredations. It could easily discharge it.

The Secretary of the Interior, in his last annual report, recommended a geological survey of the Territory. No small appropriation could be made to use by disclosing the vast mineral resources of the Territory and enterprise would be attracted to it. It is to be hoped that the enlightened Secretary will again urge the subject upon the attention of Congress.

and efficient direction of Captain Alex Cumb, has been the subject of general admiration by all who have had occasion to travel over them. Some of the most difficult mountain passes, have been rendered comparatively safe and easy. The appropriation was a small one, and its benefits of limited extent; but the improvement already made is an earnest of what might be done for the Territory by a more liberal appropriation, expended under the supervision of so excellent an Officer. These improvements, though made ostensibly for military purposes, greatly facilitate intercourse and trade between the various parts of the Country, and thus promote, to some extent, all the elements of national prosperity. The subject, therefore, is recommended to the favourable Consideration of the Legislative Assembly.

In this adverting, to what has been done and is proposed to be done by other Departments of the Federal Government, I should do injustice to the occasion not to acknowledge the just and liberal policy, pursued by the Post Master General towards this remote Territory, in the great increase of our mail facilities during his administration of the Post Office Department. These mail facilities are not only a blessing to the civilized, but they are the civilizer of the Savage; and nothing can contribute more to tame and subdue the wild Indian, and add safety to travel across the plains, than the frequent and certain transmission of the Mail Stage. But may we not hail these mail facilities not only as a present good, but as the harbinger of a future and still greater improvement, confident that the crack of the coach whip is to be followed, at no distant day, by the shrill and lanimating whistle of the steam engine.

You will perceive, from the unfinished and exposed walls of the New Capitol and Penitentiary, that no appropriation for their completion was made at the last Session of Congress. I hope we shall be more successful at the present one. Estimates, therefore, have been transmitted to the Secretary of the Treasury, with such arguments in favor of an additional appropriation as appeared to me just and proper. The delay on the Construction of these buildings is much to be regretted on many accounts. They are greatly exposed, and in their unfinished state are growing worse every day. The Penitentiary is especially needed, from the unsafe condition of most of our County Jails. Indeed many of our Criminal laws, inflicting a long term of imprisonment for the punishment of Convicts, was no doubt framed with reference to the existence of such an institution. A long term of imprisonment in our County Jails, where all are huddled together in idleness and vice, does no good to the Convict, or to the Community. Generally both are injured by it. If it is the good pleasure of the Convict to remain in Jail till the expiration of his term of imprisonment, he generally comes out a worse man, and the Community is punished by having to pay a heavy bill of prison fees. Until the Penitentiary be finished, therefore, it is well worthy of consideration whether it would not be better to substitute, in most cases, a more summary and certain mode of punishment, in place of the long term of imprisonment now imposed by law. I am told that the average punishment, inflicted for what are known as infamous offences, under the late law establishing the County Courts, has had a salutary effect wherever it has gone into operation. I doubt not its extention to Counties for similar offences in the Superior Courts, would be equally salutary.

On my journey arrival here, I found the Old Palace uninhabitable, and

much of it falling into ruins. Upon the
tary of the Treasury, and requesting that a
$2,500 of the Legislative fund for its repair,
1852, he promptly made the order, and I have mu
hope may be satisfactory. The Hall of Representa
to this end of the Palace, because more suitable for its
the further reason that, according to the plan of the New
finished, this end of the Old Palace is to be removed for the pur
opening a street leading to it. This change will then produce mu
niences to the House of Representatives, as they have been better provided.
The sum asked was no sufficient to complete the repair, but I doubt not
the able Secretary, upon a further application, will authorize a sufficie
amount for so just and proper a purpose.

Having thus disposed of our Federal relations, I must now invite
your attention to subjects nearer home, and which fall exclusively under
your own jurisdiction. Among these the most important is the financial
condition of the Territory. I submit herewith the Report of the Treasurer,
and that of Auditor of public accounts. From these Reports, it appears that
the amount of warrants drawn upon the Treasury, during the fiscal year end
ing the 15th of November 1858, was in round number $53,715, while the
amount of cash received for the same year, was $ 8,767; making a deficie
of receipts over expenditures for the year of $3.054. The public debt, out
standing at the commencement of the year, was $9,872. From this sum de
duct $3.054, the amount of receipts over expenditures for the year and it will
leave a balance of $6,818, being the debt of the Territory outstanding on the
15th day of November 1858. The amount of cash received, for the fiscal year
ending the 15th of November 1857, was $7,664. But a portion of the revenue
accruing during that year was not paid in consequence of the default of certain
collectors, and was paid during the last fiscal year, and appears in the amount
of receipts for that year. So that, in fact, there was no increase of revenue during
the last fiscal year, and therefore no increase of revenue under the late revenue
law. It appears that the expenditures were diminished during the last year to
the amount of $3.054. This has arisen, in part, from the repeal of the law rela
tive to the Territorial prison, and partly from the failure to hold Courts of Jus
tice in some parts of the Territory, and for my inability to obtain suitable
prosecuting attorneys, in consequence of the great depreciation of Territorial war
rants. I must, therefore, call your attention again to the necessity of raising
additional revenue from some quarter. Society can no exist without Govern
and the machinery of government can not be kept in motion without expe
Good governments do not come to us, like the dews of heaven, without money
and without price. If we would have our lives and our property protected
ment must pay some tithe to support the Government which does it
these sacred, for the support of Government should be as light
paid by all alike, according to the amount
in possession each individual of property
of all, would be unjust

report of the Auditor upon this subject, to the favorable Consideration of the Legislative Assembly.

The public debt of the Territory is very small. It does not equal the revenue of a single year; and yet it so happens, that most of those who hold Territorial warrants must lose one half their amount to get the other half in cash. Many of these warrants have been outstanding for years, because the holders were not willing to make such a sacrifice, and in the hope that the Territory would soon redeem them in good faith. If therefore the Legislative Assembly is notable to provide means for paying ~~all warrants~~ the whole debt as fast as it is presented, I recommend that provision be made for paying all warrants, both Territorial and County, at the Treasury of each, according to their date. This would be both just and proper. It would not then be necessary for an honest Creditor to sacrifice his warrant. If a man could not pay him this year, he would be certain of it next, and would await with patience. As it now is, he may wait half his life, and still have to sacrifice his warrant, and this too when the whole debt of the Territory is not one year's revenue. This is injustice done to your public Creditor. Calls loudly on you for redress. If you can not do him full Justice, in God's name do it as near as you can. If you can not pay him this year, give him the assurance that it shall be done the next.

The office of Attorney General, and those of the two Circuit Attorneys are all vacant. I have not been able to obtain any suitable and competent lawyers, to hold these appointments in consequence, no doubt, of the small remuneration attached to them. The salaries though nominally sufficient, have been rendered inadequate by the great depreciation of Territorial warrants. A provision of law, similar to the one above recommended, would doubtless bring them at once to par value, or nearly so, and the appointments would then be more acceptable. But it is not necessary that these appointments should be in separate hands, and it would be better to blend them in the same person. The salary would then be desirable, and enable the Governor to appoint to the office of Attorney General, a gentleman of talents and integrity, equal to its responsible and important duties.

In my last annual Message, I felt it my unpleasant duty to animadvert upon the mutilated Condition of our Judicial System. Under a Construction given to a law of Congress, Courts have been authorized to be holden as heretofore, in all the Counties. For some years past, the Territory has suffered from this derangement in her Judicial System. For Courts of Justice were held at only three points throughout this extensive Territory, and two thirds of the Counties were deprived of Courts altogether. The injustice and hardship of such a system were too great for endurance, and upon a representation of it to Congress, two or three years we have been Comparatively without Courts; and for the last year, but for our learned and indefatigable Chief Justice, we should have been altogether without Judges. In many parts of the Territory, the people have been left to themselves, and it is a pleasing evidence of their law abiding and orderly Character, that there has not been more violence and disorder. I again beg leave therefore to be able to announce to you the improve-

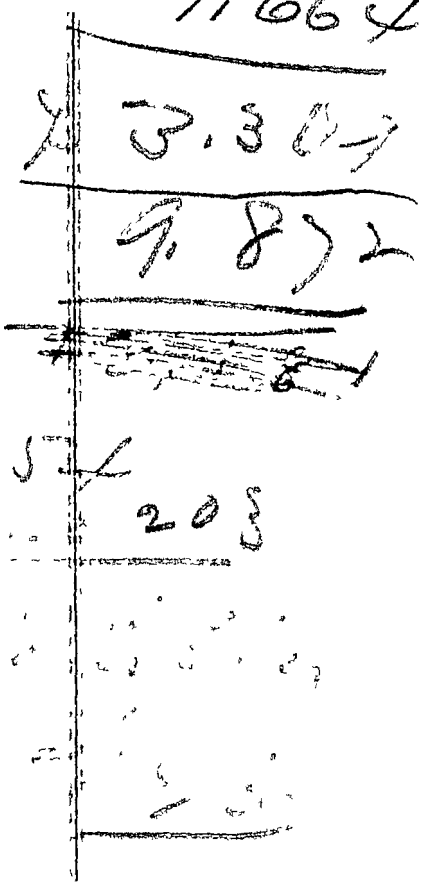
ments that have been made in our
tured to all the Counties, and Judges afore
fore, if it be considered necessary, that provis
ding all Causes, now in the District Courts, to the
properly belong, so that they may be ready for trial
the Court.

In consequence of the restoration of the Circuit Courts in
ties of the Territory, it may be thought advisable to remodel the
olishing the County Courts. In a free Government like ours, the
ty Courts a valuable institution; but in the financial condition of the
ritory, and most of the Counties, the expense of two Jury Courts may
thought too burthensome. If so, I recommend that the Jury be dispensed
with, and that the Court remain as a Court of Probate and Registration,
holding and exercising all the powers heretofore held and exercised by the
Judge of Probate. Without adding to the expense of the Court of probate,
this would add greatly to its value and efficiency. The powers exercised by
the Judge of Probate, are among the most sacred and important that
belong to us as a Community. They effect the interest both of the living
and of the dead, and the order, improvement, and character of the County
and of our County towns, depend mainly on the manners in which the
Court of Probate exercises its various and important powers.

I have only one other suggestion, and I am done. The best of laws
are made to little purpose unless there is sufficient virtue and integri
ty in the Community to see that they are executed. Leges sine moribus
vanæ sunt, was the sentiment of a great Statesman of antiquity.
Indeed, laws however good in themselves, if allowed to be constantly
and openly violated with impunity, become worse than useless, be
cause they often lead to the violation of other laws, under the hope
and belief that they too are made to be violated. If therefore you
find upon the Statute book, laws which you believe to be good, but
which you know to be habitually violated, you should add such
penalties to the violation of the law, and inflict such punishment
upon unfaithful public officers, as will ensure, if possible, the execu
tion of the law. But if, after all, society is so demoralized, and the
public officers so wanting in integrity, that the law cannot be enforced
and the vice suppressed, it would be better to repeal the law altogether,
and not allow ourselves to be guilty of the double shame of tolerating
both the vice, and the open violation of the law which was wisely &
vainly intended for its suppression.

In conclusion, let us invoke the guidance of that Divine Be
, who holds in his hands the destiny of nations, that he would bless
our labours for the public good, to a happy and succe

Earth Dam



James J Marshall

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James J Marshall

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December 16th The Governor this day approved and signed a Joint Resolution authorizing the printing of the Governors Annual Message.

December 17th The Governor this day Communicated the following Special Message to the Legislative Assembly ——

Executive Department
Santa Fé, Dec 17th 1858.

To the Legislative Assembly of the Territory of New Mexico.

I have received the Resolution of the Legislative Assembly requesting me "to inform them" "what is the present state of the war with the Navajoes, how many have been the victims among the soldiers and other citizens of the United States, how much property belonging to the Government and to private citizens have been destroyed during the war, and what are the measures taken to make a Treaty of peace with said tribe of Indians." In Reply to said Resolution, I have the honor to state to the Legislative Assembly, that since the separation of the duties of Superintendent of Indian Affairs from those of the Executive Department, the Governor of the Territory has had nothing to do, officially, with our Indian relations, either in peace or in war. When, therefore Complaints have been made to him of murders Committed by the Indians, or depredations upon the property of our citizens, all he could do was to refer them to the Superintendent of Indian Affairs, or to the Officer Commanding the Military Department of New Mexico, that the property destroyed by the Indians might be paid for under the laws of the United States, or the Indians punished by the Military forces sent here for our protection. Since the Commencement of the war, it has not been thought necessary to call on the Governor for Volunteers. As soon as Col. Bonneville, who had recently been put in Command of this Military Department, found that the war had been rendered inevitable by the premature attack at Bear Spring, he exerted himself with Commendable zeal and diligence, to throw all the necessary forces into the Navajo Country, and he assures me, that at the time the armistice was Concluded by Mr. Lost, our Indian Agent, and Col. Miles, who was in Command of the Army, there were a thousand men in the field, quite as many as he Considered necessary or as could well be supplied with provisions at so inclement a season.

Having, therefore, no official Connection with the war, and no official information on the subject, I did not think it my duty to say any thing to you, in my Annual Message, upon the Navajo war. Your Resolution makes it my duty to submit to you whatever knowledge I have on the subject, although I have no information except such as has been made public, but which, I think, may be relied upon, and such as I have obtained, from my intercourse with the Heads of the Indian and Military Departments in this Territory. From these sources of information, it appears that the war thus far has not been many disastrous on either side. The Indians have not dared in any Considerable number, to encounter our troops, so as to risk the fate

of the war upon a single battle. In
by no means, in small skirting parties,
are killed; while the Indians have killed as
dieu, but have shown their well known char
carrying off stock belonging to the United States,
of the Territory. I have no means of knowing the exa
property so taken, but suppose that when the accou
settled there will not be found to be much advantage on eith
this respect. If, therefore, the Indians have been castigated and
as our Indian Agent says they have, nine ought to be glad of it,
it is what ought to be done, and if done, has certainly been done with
the effusion of much blood, on whose ax head must be and the burning fire
on the part of the Navajoes, which has not been thought heretofore
a part of their character.

At present the war is suspended. The Indians sued for peace, and
the Indian Agent and Military Commander, believing the Indians
sufficiently castigated and humbled, agreed to an armistice for thirty days.
The Armistice provided only for the surrender, by the Indians, of property
taken from the East and which belonged to the United States, but did not
provide for the surrender of private property taken by the Indians during
the war from the citizens of the Territory. The armistice did not provide
for the surrender of the murderer, which was the cause of the war, nor even for
the payment of the negro boy who was murdered, although the Indians, before
the war, agreed to pay any price for him, however extravagant. If
therefore the Navajoes have been castigated and humbled, the armistice unfortunately affords no evidence of it.

The Superintendent of Indian Affairs and the Commander of the
Military Department left Santa Fe a few days ago, for the seat of war.
I have been assured by them, that they will consent to no peace upon
other terms, than the surrender
of private as well as public property taken by the Indians during
the war, and a meridian line shall be established, east of which the
Navajoes shall neither plant, nor graze their stock. A peace less
favorable, than would, be unjust, a mere delusion, and could not last.
If the Navajoes are humbled as it is said they are, they must give
some better proof of it than empty words. If a peace should be
agreed upon, that terms will be known, for some long before the termi-
nation of your Session, and if no peace should be agreed upon, that fact
no doubt, will be presented with renewed vigor.

Very Respectfully submitted
Signed J. A. Pemberton

December 22. The Governor this day approved and signed a Joint Reso-
ing for certain acts of Congress.

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Dec. 23. The Governor this day approved and signed a Joint Resolution, authorizing the publication of a Special Message from the Governor concerning the Navajo war.

Dec. 30th The Governor this day commissioned Vivian Arnijo, Justice of the Peace for the 11th Precinct Precinct in Sant Miguel County, and Jesus Gonzales y Vigil, for the same office in the 5th precinct of the same County, and also Commissioned Perez de Herrera Noble Constable for the same precinct and County.

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January 3rd The Governor this day approved and signed the following Acts, to wit.

An Act authorizing a Revision of the laws of the Territory of New Mexico and

An Act, creating an additional precinct in Valencia County.

January 7. The Governor this day issued the following Proclamation.

Proclamation.

Abraham Rencher

Gobernador del Territorio de Nuevo Mejico.

A todos á quienes pertenecierè.

Por virtud del poder que me es conferido por la Ley. Yo Abraham Rencher, Gobernador del Territorio de Nuevo Mejico, por esto ordeno y dirijo que sean abiertas las Elecciones en los varios precintos de votacion en el Condado de Santa Ana de este Territorio, el Lunes dia 17 de Enero, para la Eleccion de un Juez de Pruebas para dicho Condado, para llenar la vacante occasionada por la resignacion del Hon. José Andres Sandoval &c.

Por lo tanto. El Juez de Pruebas del dicho Condado de Santa Ana está por esto ordenado y dirijido de dar avisos públicos en los parajes mas públicos del dicho Condado, de los lugares y tiempos de tener dicha Eleccion, la cual será conducida segun los provisitos de la ley arreglando Elecciones.

Hecho en la Ciudad de Santa Fé hoy el dia 7 de Enero en el Año de Nuestro Señor de mil ochocientos cincuenta y nueve.

(Signed) A. Rencher
Gov.

Por el Gobernador

A. M. Jackson
Secret. del Territorio de N. Mejico.

January 11th The Governor this day approved and signed An Act relative to orchards and vineyards.

January 13. The Governor this day approved and signed An Act relative to Indian depredations.

January 14th The Governor this day appointed and commissioned John Ricard to be a Notary Public in and for the County of Dona Ana, resident at Fusaton in this Territory.

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Special Message.

One Item

To the House of Representatives
of Territory of New Mexico

In reply to the Resolution of the House of &c calling for information on the subject of Military Roads in the Ter. I have the honor herewith to submit to the House of Representatives a Report from Captain John N. Macomb Topographical Engineer of the United States Army in charge of these roads, which will furnish all the information sought for by the House of Representatives.

In reply to the Resolution calling for the Estimates and arguments transmitted by me to the Secretary of the Treasury, in favour of the completion of the Public Buildings in the Territory, I have the honor to state that the Estimates for the completion of the new Capitol and Penitentiary were made with much care by Judge Houghton, Superintendent of Public Buildings, and under whom they have been thus far constructed. His Estimates, with the reasons for them, are given in detail and at great length, but I do not understand that the House desire his entire Report. If they do it can be furnished. His final Estimates are as follows

For the completion of the New Capitol	$60.000.
For the completion of the Penitentiary,	
with the outer wall of adobes,	$12.000.
With the outer wall of stone	$23.400.
With 32 instead of 16 cells	$33.400.

If this appears that the amount necessary to the completion of the Penitentiary, will depend on the manner in which it is to be finished. If finished according to the original plan, with an outer wall of adobes and only 16 cells, it will require only $12.000 to finish it. If the outer wall is built of stone, it will require $23.400, and if the number of cells is 32 instead of 16, it will require $10.000 in addition. Judge Houghton in his Report recommended the largest estimate, but, in transmitting it to the Secretary of the Treasury, I stated that I concurred with him in opinion in every thing except in the outer wall, which I thought might very well be built of adobes instead of stone as contemplated. This would only add about 15 per cent to the cost, and would make a substantial and desirable wall, and the Penitentiary would be sooner completed. If my suggestion should be adopted, the amount necessary to complete the Penitentiary, with 32 instead of 16 cells will be $23.800. I strongly advised the removal of the Penitentiary to a more suitable place, but I suppose they will not consent to it, in consequence of the large amount already spent upon it.

The great objections to

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to complete these Buildings, is made on the ground, that the large amount of money heretofore appropriated has been wastefully and improperly expended. I have endeavored to remove this objection in my Correspondence with the Secretary of the Treasury, and also with the Secretary of the Interior, who was directed, by a Resolution of Congress, to correspond with me on the subject for the purpose of obtaining certain information. I do not suppose the House of Representatives desire a Copy of these letters, and therefore have not thought it necessary to have them transcribed.

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Very respectfully submitted

C. Renehen

Gov. N. Mexico.

January 14th The Governor this day appointed and Commissioned Henry H. Green, Notela Notary Public in and for the County of Dona ana in this Territory.

January 19th The Governor this day Commissioned Mathias Rivera, Notable Constable for the 3rd Precinct in and for the County of Santa Fé in this Territory.

January 20th The Governor this day approved and signed the following entitled Acts, to-wit.

1 An Act repealing An Act giving Jurisdiction to the Probate Courts in Criminal Cases

2 " " Authorizing the District Courts to be held in the different Counties.

3 " " providing for the drawing up of forms for Judicial proceedings.

4 " " to be entitled An Act, Concerning Territorial and County Revenue.

5 " " fixing the limits No 1 and 9 of the County of Santa Fé and

A Joint Resolution, authorizing the publication of the Treaty of peace with the Navajo Indians.

January 26 The Governor this day approved and signed the following entitled Acts to-wit

1 An Act relative to practice in the District Courts

2 " " Assigning the Hon. W. S. Bonney to the third Judicial District

3 " " Amendatory of the law relative to Contracts between Masters and Servants.

4 " " Creating sundry additional precincts in San Miguel County

5 " " to defray the expenses of the Territory and to prevent frauds in the Collection of the Same.

Executive Department

Santa Fé January 17th 1859.

To the Honorable

The House of Representatives

of the Territory of N. Mexico.

In Reply to Your Resolution, requesting me to inform your [illegible] ment, in my opinion, would be necessary for the finishing of the

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repairs of the Old Palace, I would state, in addition to the small balances on hand, no repairs in a satisfactory manner, unless Ca discontinue the New Capitol. In that case it is very greatly, both the House of Representatives and the Convenience of future Legislation. But the sum asked for is sufficient to make such repairs as are required at the present time.

Very Respectfully
Signed D. Meriwether
Gov. N. Mexico

Special Message from the Governor.

Executive Department
Santa Fé, January 22nd 1859.

To the Legislative Assembly
Of the Territory of New Mexico

I have received the Resolution of the Legislative Assembly, requesting me to inform them how far I have complied with the Resolution of the Legislative Assembly of 1857–58, which requested the Governor to ascertain the extent of the grounds appertaining to the Palace, and to take possession of the same as Territorial property.

In reply to which I have the honor to state, for the information of the Legislative Assembly, that soon after the adjournment of the last Legislature, and obedience to their request, I made enquiries of the oldest and most respectable inhabitants of the Territory, as to the extent of the grounds which had always been considered as appertaining to the Palace. From these sources of information it appears that the grounds appertaining to the Palace embraced all the open space immediately in the rear of the Palace and about one third part of the Government Corral adjoining it. To establish these facts, I took the testimony of the Honorable Donaciano Vigil, President of the Council, and Augustus Duran, formerly Collector of Customs for the Territory, and had their Certificates properly authenticated and filed among the archives of the Department with other documents on the same subject for future use if found necessary. From this evidence it appears that the Palace and grounds adjacent to the extent above named, had always been occupied and cultivated, by the Civil Governor of the Territory, exclusively there was one, to the exclusion of the others.

These grounds have been partially occupied for some years by the Military Department of the Government, but as will be seen by the evidence above referred to, to the Head of the Military for this Territory, the ground in rear of the Palace was, as Civil Grounds of the Territory, a Garden, and which I

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with the Military Department about the small Reservation included in the Corral. Upon the Completion of that New Capitol, I suppose these Corrals will be removed, when the Garden appertaining to the Palace may be extended to its ancient limits without any difficulty.

It would not be wise, in my Opinion, to make Treaty with the United States about the legal title to these public grounds. The United States having the use and occupation of them, under the Law of 1852, should keep them in good Repair as required by that Law. Whenever the Territory shall become a State, the United States will, without doubt, Relinquish to the New State all its interest in the public property, as she was always done in other Similar Cases.

Very Respectfully Submitted
(Signed) A. Bencher
Gov. N. Mexico.

January 28th The Governor this day approved and Signed a Bill Entitled "An Act authorizing the Probate Judge of Dona Ana County to hold Court in Mesilla."

The Governor this day issued the following Proclamation being informed of the loss of one formerly issued for the named purpose

Proclama.

Abraham Bencher
Gobernador del Territorio de Nuevo Mejico

A todos á quienes pertenecieren.

Por virtud del poder que me es conferido por la ley, Yo, Abraham Bencher, Gobernador del Territorio de Nuevo Mejico, por esto ordeno y dirijo, que sean abiertas las Elecciones en los varios precintos de votacion en el Condado de Santa Ana de este Territorio, el Lunes dia 14 de Febrero proximo, para la Eleccion de un Juez de Pruebas para dicho Condado para llenar la vacante ocasionada por la Resignacion del Hon. José Andres Sandoval. Y

Por lo tanto El Juez de Pruebas del dicho Condado de Santa Ana está por esto ordenado y dirijido de dar avisos públicos en los parajes mas públicos de dicho Condado de los lugares y tiempos de tener dicha Eleccion, la cual será conducida segun los progresos de la ley arreglando Elecciones.

Hecho en la Ciudad de Santa Fé hoy el dia 28 de Enero en el Año de Nuestro Señor de Mil Ochocientos Cincuenta y Nueve.

(Signed) A. Bencher
Gov.

Por el Gobernador
A. M. Jackson
Secret.o del Territorio de N. Mejico

The Governor this day appointed Hugh N. Smith, Attorney General for this Territory.

The Governor this day approved and Signed the following entitled

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Acts — to wit: —

An Act, creating the Office of Attorney

An Act, amendatory of An Act, entitled "An Act to revise the laws of this Territory"

An Act, amendatory of the attachment law

An Act, providing the mode of selecting Jurors

An Act, authorizing the construction of a market in the City

An Act, abolishing precinct 10th of the County of Valencia

An Act, creating two additional precincts in the County of Taos.

An Act, to provide for the publication of the decisions and opinions of the Supreme Court — And

An Act to provide for the terms of the Supreme Court.

February 3rd The Governor this day approved and signed Bills of the following titles — to wit:

An Act establishing the times and places of holding the District Courts in the different Counties

An Act, relative to the protection of Slave property — and

A Joint Resolution, authorizing the publication of the laws passed at the present Session

An Act, to amend the practice in the District Courts

An Act, to explain one or certain laws.

February 2d The Governor this day issued the following Proclamation:

Eight hundred Dollars Reward.

Whereas a most horrid murder was committed at San Miguel, on the night of the 21st ultimo, on the body of Thomas Rowland, a peaceable and meritorious citizen, by persons unknown; and whereas, by a Joint Resolution of the Legislative Assembly, and by the voluntary contributions of citizens and friends of the deceased, I have been authorized to offer the above reward of eight hundred dollars, to any person or persons who shall discover or give information of the perpetrator or perpetrators, or any of them, of said crime, so that he or they be arrested and brought to punishment, now, therefore

I Abraham Rencher, Governor of the Territory of New Mexico, do by virtue of my authority, call upon all persons and authority, to aid, to the utmost of their power, in bringing to justice the perpetrators of said crime; and I do further offer the above reward of eight hundred dollars to any person or persons who shall give information of the said perpetrator or perpetrators, or any of them, so that he or they be arrested and brought to punishment.

Given under my hand and Seal of Office, Santa Fé, this 2nd day of February 1859

(Signed) A. Rencher

By the Governor

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January 3rd The Governor this day vetoed "An Act to restrain the vice of gaming, and assigned the following reasons therefore.

Executive Department
Santa Fé, February 3rd 1859.

To the Legislative Assembly
of the Territory of New Mexico.

I have received the Act of the Legislative Assembly of the Territory entitled "An Act to restrain the vice of gaming." Notwithstanding the title, the Act provides in effect for the repeal of the laws now in force against gaming, and to give to gaming the sanction and authority of law. With much willingness to differ with the Legislative Assembly, and a natural deference for the opinions of others, often induces me to acquiesce in certain provisions of law which in my judgment are unsound. Where I find the main object and body of a law good, I sign it and leave its defects to be corrected by future legislation. In the present Bill before me, this is not the case. It in effect repeals a law which I believe a good one, and which is admitted to be a necessary and proper one by every moral community, and every enlightened Legislature. Instead of restraining the vice of gaming, it legalizes and sanctions a vice, which more than still further demoralizes us as a people, and weakens the arm of public justice. There is no vice which so enslaves and debases us, none which destroys the happiness of so many families, or reduces to misery and want so many unhappy victims. The revenue which the Bill proposes to raise, by a tax on gaming, would barely pay the expense of prosecuting and punishing the many crimes which would result, either directly, or indirectly, from the encouragement which this Bill would give to vice. To say the best of it, it is a Bill to raise revenue at the sacrifice of the morality, good order, and character of Society. Instead of legalizing gaming, all enlightened Governments have passed the severest laws against it. They have felt it a sacred duty, to protect the young, the ignorant and the unwary, against those birds of prey that, unfortunately, are found every where, even where they are not encouraged by law. Your own Legislative Assembly, when directed by wise Counsels, saw the evils of legalized gaming, and passed the law which you now wish to repeal. Let us rather endeavour to enforce it and raise revenue by its execution, instead of its repeal. In this way we shall accomplish a double good, and give to the people of the States an assurance that New Mexico can govern herself by good laws. But if after all Society is so demoralized that this cannot be done, we must then give them up, and a knowledge, however painful it may be to us, that the ability of the people to govern themselves by good laws, has been tried in New Mexico and has failed.

I have thus, in the hurry of the last day of the session, given you some of my reasons for not signing the Bill which you have sent me. I respectfully submit them to you, for your consideration, and that of the people of N. Mexico.

Respectfully submitted
(Signed) A. Rencher
Gov. N. Mexico.

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February 26th The Governor this day Commissioned
for San Miguel County.

March 1st The Governor this day appointed and Commissioned
to be a Commissioner of Deeds, resident within the District
Territory of New Mexico.

" " The Governor this day appointed and Commissioned William H
a Commissioner of Deeds in and for the City and State of New York
Territory of New Mexico.

" " The Governor this day appointed and Commissioned J. G. White, to be a
Notary Public in and for the County of Dona Ana, in this Territory.

March 5th The Governor this day Commissioned the following County officers to wit;
Juan de Mata Montoya to be Constable for Rec. No. 1 County of Rio Arriba
Roberto Velasquez " " " " No. 12 " " "

April 14th The Governor this day Commissioned Manuel Romero, to be a Justice of
the Peace in and for the 6th Precinct County of Santa Fe.

May 6th The Governor this day Commissioned Tomas Coival to be a Justice of
the Peace, and Ramon Ortiz to be a Constable for the County of Santa Fe

May 10. The Governor this day Commissioned Preciliano Garcia to be a
Constable in and for the 6th Precinct, County of Santa Fe.

May 31st The Governor this day appointed and Commissioned George Mayhall Notary
Public for the County of San Miguel in this Territory.

" " The Governor this day appointed and Commissioned N. McMaera to be
a Notary Public for Valencia County in this Territory.

June 1st The Governor this day Commissioned the following Volunteer Officers of a Compan
of Mounted Volunteers in Abiquiu, County of Rio Arriba to wit.
Albert Henry Sheiffer Captain of the Company in Abiquiu
Juan Andres Quintana 1st Lieutenant " " "
Ramon Cordova 2nd do " " "

June 18th Hon. William G. Blackwood having filed his cer
tificate of Office, as Associate Justice of the Supreme Court of the
Territory, in the office of the said Secretary, it is recorded

The Secretary of New Mexico
County of Santa Fe

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having been duly commissioned an Associate Justice of the Supreme Court of the Territory of New Mexico, do solemnly swear that I will support the Constitution of the United States, and discharge the duties of my said Office to the best of my skill and ability— So help me God.

(Signed) Wm G. Blackwood.

The United States of America
The Territory of New Mexico

I, Alexander M. Jackson, Secretary of the Territory of New Mexico, do hereby certify, that on this 18th day of June A.D. 1859, before me personally appeared William G. Blackwood, Associate Justice of the Supreme Court of said Territory, who being by me duly Sworn, took and subscribed the foregoing oath of Office.

In witness whereof, I have hereunto set my hand and Seal of Office, this 18th day of June A.D. 1859

(Signed) A. M. Jackson
Secretary of the Territory of N. Mexico.

June 21st The Governor this day appointed and commissioned Wm A. M. VanBokkelen to be a Notary Public, resident at Fort Union for the County of Taos in this Territory.

July 28th The Governor this day commissioned Francisco Ortiz y Salazar to be a Justice of the Peace for the 4th precinct in the County of Santa Fé; and also commissioned Pedro Lopez for the same Office in the 5th precinct in said County.

Sept. 7. The Governor this day appointed and commissioned Edward Shippen, Commissioner of Deeds in and for the State of Pennsylvania, resident at Philadelphia, for the Territory of New Mexico.

" The Governor this day appointed and commissioned Alexander Boyd to be a Commissioner of Deeds in and for the State of California, resident at San Francisco, for the Territory of New Mexico.

" The Governor this day appointed and commissioned Charles W. Pope, to be a Commissioner of Deeds in and for the State of Louisiana, resident at Baton Rouge for the Territory of New Mexico.

" The Governor this day appointed and commissioned Allan Rutherford, to be a Commissioner of Deeds in and for the State of New York, resident at the City of New York, for the Territory of New Mexico.

" The Governor this day appointed and commissioned Joseph B. Nones to be a Commissioner of Deeds in and for the State of New York, resident at the City of New York for this Territory.

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September 16th The Governor this day commissioned the Territory who were elected at the late General Election in their respective Counties on the fifth day of the same.

For the County of Santa Ana.

Jesus Baca — Judge of Probate
Manuel Biscarra — Sheriff
Manuel Hurtado for 1st Prect. — Justices of the Peace
Bautista Vestas " 2nd do
Vicente Romero — " 3rd do
Rafael Mina " for 4th
Secundo Giron for
Eleuterio Chavez " 2nd
Dolores Baca " 3rd do
José Romero " 4th do — Constables

For the County of San Miguel.

Prudencio Lopez — Judge of Probate
José Guadalupe Romero — Sheriff
José Manuel Leyva for 1st Precinct — Justices of the Peace
Antonio Sedillo y Lucero " 2nd "
Juan Lucero — " 3rd "
Felix Sanchez — " 4th "
José Ygnacio Esquivel — " 5th "
José M.a Chavez — " 6th "
Pablo Archibeque — " 7th "
Vicente Quintana y Lujan — " 8th "
A. Morrison — " 9th "
Teodoro Sandoval — " 10th "
Matias Garcia — " 11th "
Nepomuceno Archuleta " 12th "
Agapito Vigil for 1st Prect — Constables
Teodoro Chavez " 2nd "
Clarencio Aragon " 3rd "
José Rafael Rael — 4th "
Justo Maes — " 5th "
Albino Madrid " 6th "
Tomas Salazar — " 7th "
Antonio Ortiz — " 8th "
Guadalupe Padilla " 9th "
Juan Tapia — " 10th "
Miguel Lucero — " 11th "
Nicolas Martin " 12th "

Sept. 12. The Governor this day commissioned the following county officers, elected at the late General Election — viz:

For the County of Santa Fé:

Anastacio Sandoval — Judge of Probate
Jesus Maria Baca y Salazar — Sheriff
Jesus M.a y Herrera for Prect No. 1st — Justices of the Peace
Xavier Ammon " " " 2.
Juan Lopez " " " 3.
Aniceto Abeytia " " " 4.
Pedro Lopez " " " 5.
Manuel Baca y Delgado " " " 6.
Francisco Aranda " " " 7
Jesus M.a Silva " " " 8.
Teodoro Gonzales " " " 9
Marcos Salas for 1st Prect — Constables
Juan Crisosto Jimenez " 2nd "
Francisco Gonzales " 3rd "
Ricardo Ortiz " 4th "
Benito Romero " 5th "
Benigno Arroyo " 6th "
Juan Manzanares " 7th
José Ra
Telesforo

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Sept. 14th The Governor this day Commissioned the following County Officers, who were elected at the late General Election — to wit: —

For the County of Rio Arriba.

Francisco Antonio Mestas — Judge of Probate
Juan B. Lopez — Sheriff
José Dolores Medina for Sect. A. P. 1st
Ramon Rivera — " " 2nd "
Francisco Jaramillo " " 3rd "
Jesus Ma. Sa Joya " " 4th "
Jeronimo Gallegos " " 5th "
Fran.co Antonio Garcia " " 6th "
Nasario Archuleta " " 7th "
Pedro Maria Baca " " 8th "
José Antonio Martin " " 9th "
José Ysabel Martinez " " 10th "
Miguel Antonio Gallegos " " 11th "
Felis Galves — " " 12th "
Bentura Martin — " " 13th "
José Pablo Archuleta " " 14th "
José de la Cruz Lujan " " 15th "

Justices of the Peace.

Fran.co Antonio Medina for 1st Lieut.
Anastacio Pacheco " 2nd do
Juan Trujillo " 3rd do
José Gabriel Atencio " 4th do
Agapito Madril " 5th do
José Ygnacio Martinez " 6th do
Juan Trujillo " 7th do
José de Jesus Rael " 8th do
Eleato Velasques " 9th do
Antonio José Martin " 10th do
José Antonio Marin " 11th do
Juan Vargas " 12th do
Juan de Dios Mes " 13th do
José Patricio Cordova " 14th do
José Rafel Herrera " 15th do

Constables.

For the County of Taos: —

Pedro Valdez Judge of Probate
Henry James — Sheriff
Antonio Laforete for 1st Sect.
Antonio Abá Mondragon 2nd " do
Gabriel Gallegos " 3rd " do
Desiderio Valdez " 4th " do
Felipe N. Vigil " 5th " do
Antonio Martinez " 6th " do
Miguel A. Cordova " 7th " do
Rafael Chacon " 8th " do
Salvador Urtado " 9th " do
Anastacio Trujillo " 10th " do
Pablo Gonzales " 11th " do
Antonio Chobleau " 12th " do
Manuel Greg.o Gomez " 13th " do
Jesus Ma. Montaya " 14th " do
José Padilla " 15th " do
Juan de Jesus Gomez " 16th " do
Antolin Gimenez " 17th " do
Eulogio Garcia " 18th " do
Vicente Sanchez " 19th " do
José Ma. Jaques " 20th " do
J. B. Maynard " 21st " do
[illegible] Rodriguez " 22nd " do
Abel Aranda " 23rd " do
Samuel Navarro " 24th " do

Justices of the Peace.

Antonio Ma. Cordova for 1st Lieut.
Vicente Abila " 2nd " do
Seferino Martinez " 3rd " do
Matias Maes " 4th " do
Julio Vigil " 5th " do
Juan Archuleta " 6th " do
Santos Muñis " 7th " do
Juan Ant.o Romero " 8th " do
Antonio Romero " 9th " do
José Cortez " 10th " do
Juan Antonio Manzanares " 11th " do
Juan Apodaca " 12th " do
José Ant.o Santisteban " 13th " do
José Andres Montaya " 14th " do
Juan Domingo Gomez " 15th " do
Santiago Sanchez " 16th " do
Juan Vigil " 17th " do
Fran.co Salazar " 18th " do
Martin Rodriguez " 19th " do
Juan B. Lovato " 20th " do
Ramon Vigil " 21st " do
Alonso Martinez " 22nd " do
Pedro Ant.o Sanchez " 23rd " do
Luis Arsené " 24th " do

Constables.

1879.

September 21. The Governor this day commissioned at the late General Election — to wit —

For the county of Socorro:

Pedro A. Baca — Judge of Probate
Luis Gafoya — Sheriff
R. H. Stapelton
Sebastian Gonzales
Julian Conna
Francisco de Luna
Guadalupe Jaramillo
Pablo Montoya
José Cordova
T. Magaon
Mariano Silva

Francisco
Epifanio Paz
José Tonnes
Cristoval de Luna
Juan Sanchez
J. Manuel Alibarri
Andres Mascarena
Reyes Casillas

Justices of the Peace.

Constables.

October 12. The Governor this day commissioned Victor Garcia, Justice of the Peace for 9th Precinct in the County of Santa Fé.

October 26. The Governor this day commissioned the following Officers for the county of Dona Ana, who were elected at the late general Election — to wit —

Justices of the Peace.

Pablo Melendres	for	2nd prec't.	Juan C. Rodriguez	for	2nd. Prec't
Manuel Nevarez	"	3rd. do	Evangelista Perez	"	3rd. "
Bartolo Morales	"	4th. "	Pedro Padilla	"	4th. "
Marcelino Gallegos	"	5th. "	Crecencio Mendoza	"	5th. "
Francisco Molese	"	6th " "	Victor Pinega	"	6th " "
Simon Enriquez	"	7th " "	Manuel Credia	"	7th " "
Luis Barrio	"	8th " "	Ygnacio Sanchez	"	8th "
James Carruthers	"	9th "	Edward Page	"	9th " "
J. W. Holt	"	10th "	Wm Burke	"	10th "

Constables.

November 4th. The Governor this day commissioned the following County Officers, who were elected at the late General Election — to wit:

For the County of Bernalillo:

Rafael Armijo — Judge of Probate
Andres Anaya — Sheriff

Justices of the Peace.

Narciso S. Esteran	Jose Garduno
Diego Antonio Montoya	Anastacio Griego
José Miguel Lucero	Pablo Griego
Lorenzo Montano	Pedro Lopez
José Martin	Bernabé Hernandez
José Domingo Garcia	Ysidoro Sanchez
Manuel Garcia	Blas Chaves
Marcos Lovato	Antonio Otero
Vicente Chaves y Aguirre	Salvador Paz
Vicente Garcia	Pedro
Ynes Aranda	

Constables.

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1859.

Nov.r 12. The Governor this day commissioned the following Officers for the County of Dona Ana, elected at the late general Election, to wit:—

Cristoval Ascarate — Judge of Probate
Marcial Padilla — Sheriff
Carpio Duran — Constable for 5th Prect
Bartolo Madrid — Justice of the Peace for 4th " Prect
Marcelino Gallegos — " " " " 5th do
Ysidro Padilla — Constable for the 4th do

November 16th The Governor this day appointed and commissioned Philip A. Hoyne, to be a Commissioner of Deeds in the State of Illinois, for the Territory of New Mexico.

November 18 The Governor this day commissioned the following Officers for the County of Valencia who were elected at the late General Election — to wit —

José Jaramillo y Lucero — Judge of Probate
Clemente Chavez — Sheriff
Ambrosio Gonzales — for 1st precinct
Pablo Padilla — " 2nd do
José Trujillo — " 4th do
Juan Sisneros — " 5th do
Jesus Ma Chavez — " 6th do
Juan José Baca — " 7th do
José Padilla — " 8th do
Antonio Mexicano — " 9th do
Bernardino Torres — " 10th do
Dolores Gallego — " 11th do

Justices of the Peace

Pedro Mirabal for 1st prect
Juan Andres Perea " 2nd do
Toribio Trujillo " 4th do
José Chavez — " 5th do
José Sisneros — " 6th do
José Leuterio Garcia " 7th do
Juan Baca — " 8th do
Baltazar Jaramillo " 9th do
Jesus Ma Barreras " 10th do
Nicolas Garcia — " 11th do

Constables

November 18th The Governor this day issued the following Proclamation —

Proclama

Abraham Rencher

Gobernador del Territorio de Nuevo Mejico.

A todos á quienes pertenecière —

Por virtud del poder que me es conferido por ley, Yo, Abraham Rencher, Gobernador del Territorio de Nuevo Mejico, por esto ordeno y dirijo: que sean abiertas las Elecciones en los varios precintos de votacion del Condado de Bernalillo de este Territorio, el lunes dia 5 de Diciembre proximo, para la eleccion de un Alguacil Mayor para dicho Condado, para llenar la vacante ocasionada por la resignacion de Andres Anaya — Y —

Por lo tanto, el Juez de Pruebas del dicho Condado de Bernalillo, está por esto ordenado y dirijido de dar avisos publicos en los parajes mas publicos del dicho Condado, de los lugares y tiempos de tener la dicha Eleccion, la cual será conducida segun los provistos de la ley arreglando elecciones.

Hecha en la Ciudad de Santa Fé hoy dia 18 de Noviembre de 1859.

(Signed) A. Rencher
Gov.r N. M.

Real Gobernador
A. M. a Luna
actuary

1859
Nov.r 21. The Governor this day commissioned for Rio Bonito precinct in Socorro Cou.y

November 12. The Governor this day commissioned Bias County of Bernalillo.

The Governor this day appointed and commissioned Ja.s to be a Commissioner of Deeds in and for the State of New York, City of New York, for the Territory of New Mexico.

December 7th The Governor this day delivered the following Message to the Members of two houses of the Legislative Assembly of the Territory of New Mexico

Gentlemen of the Council
And
of the House of Representatives

The annual meeting of the Legislative Assembly must be, at all times, a subject of high interest to the people of the Territory. If they suffer good laws that are inverse or oppressive, these laws for relief; if laws are defective it is for us to supply the defect. And if new laws are found necessary to develope the resources of the Territory and improve the condition of the people, upon us rest the weighty responsibility of enacting such laws. It is made my duty by custom if not by law, to lay before you the financial condition of the Territory, and also suggest such Measures of Legislation as may appear just and proper, and such as are called for by the wants of the people. I herewith submit the report of the Treasurer, and of the Auditor of public Accounts. From these accounts it is appears that the amount of Warrants drawn upon the Treasury during the fiscal year ending Nov. 15th 1859 was, as found Numbers, $6.776 while the amount of cash received, for the same year, was $9.150, leaving a surplus of receipts over expenditures, for the year, of $2.380. The Public Debt, outstanding at the commencement of the year, was $6.818. From this Sum deduct $2.380, the surplus of receipts over expenditures for the year, and it will leave a balance of $4.438, being the debt of the Territory outstanding on Nov. 15th 1859. It appears from this Statement, that there has been a reduction on the public debt, during the last year: and the Auditor states that several thousands dollars worth of claims outstanding for which No warrants have been issued, and that in fact there has been little or no reduction on the Public Debt during the year. There was a small increase amount of receipts arising* from fines paid into the Territorial Treasurer for the additional burthen imposed by the law of last Session providing Compensation for Jurors, the Public Debt except two cents reduced. It does not follow that the last is a fact one and the

* Mainly from

shows that the law is a good one, and should be continued in some form. Where the right of trial by jury exists, it is an object of the first importance to have a good jury; & therefore what is intended to secure the purposes of justice, becomes an instrument of wrong, and a curse rather than a blessing. It would be unjust and unreasonable to compel our fellow citizens to submit to the privations and expense of serving on a jury without some little compensation. Whether the expenses should be borne by the Territory, or by the counties separately, is a matter of much less importance. As a general rule, it would seem right that each county should pay its own jurors; but if you should think proper to allow the law to remain as it is, you might provide by law that hereafter the whole of fines and forfeitures, instead of half as now, should go to the Territorial Treasury to reimburse it for this expenditure.

While on the question of our jury law, I beg to call your attention to which has been a fruitful source of discussion and delay in our Courts of justice. I allude to the qualifications of certain jurors. By the conquest and cession of this Territory to the United States, all Mexican citizens of residing within the Territory became, by that act, citizens of the United States. In the treaty of Guadalupe Hidalgo, however, provision was made that those who chose to retain their citizenship as Mexicans, might elect to do so, but no form of making that election was prescribed in the Treaty. The Governor of this Territory did, however, assume the right to prescribe the form in which this election of citizenship should be made, and it is said that many of our first citizens, under Mexican rule, did elect to remain Mexican citizens according to the form thus prescribed by the Governor and that they can not, therefore, under existing laws, serve as jurors; and that if they do, any verdict or decision rendered by them, may, under certain circumstances, become null and void. If they be so, it will often enable guilty persons to escape the punishment due to their crimes, upon a mere technicality. I suggest, therefore, that the law be so amended as to provide, that all such persons shall be qualified to serve as jurors, when selected for that purpose and accepted by the Court. To serve as a juror is a burthen rather than a benefit; and a burthen which the Territory might have a right to require of any good man, in the same manner that the requires of them the payment of taxes for the support of Government. The recent elections made it the duty to examine the returns sent to the Secretary's Office by the Sheriffs of the several Counties, & grand many of them defective, and, out of them made out as the law requires. I therefore recommend the institution of some proceeding by which the validity of election returns should be tested, and that the will of the people duly expressed & ascertained by the suffrages of the freemen duly returned should be carried into effect. Provision should be made for the issuing of certificates of election to persons entitled to the same, in cases where the returns have become lost or destroyed

from father to son giveth one hundred
passed by the Territorial Legislature, and
and distribution of such fines; that as no provision
provision was made to defray the actual, the ex-
The frequent escapes of criminals fr
d. my duty to call your attention to their great insecurity
well, as the new Capitol, remains, in Status quo, without any fu
three years, and exposed, all the while to Continual deterioration
the more necessary that each County should be provided with a
sufficient jail. Almost the whole revenue of the Territory is expended
prosecution and punishment of offenders against the Criminal law. It
is in vain that we have able and incorruptible judges, intelligent juries
and vigilant, and faithful public officers, if, after all, your jails are so
insecure that they become the certain means of escape from punishment. I
recommend therefore that the Legislature of each County be required to have built a safe &
sufficient jail for the County, and that the Governor be authorized to offer
a suitable reward for the apprehension of fugitives from justice, when in his
opinion, the public interest requires it. The main object of all punishment
is to prevent the commission of crime, and to make it effectual for that
purpose, it should be made as certain and speedy as possible.
It is made my duty also to call your attention to the fund-
ed debt of the County of Santa Fe. By an act of the Territorial Assembly
approved Jan: 14th 1858, "to gain time and enable the County to meet her
indebtedness with convenience," the County of Santa Fe was authorized to
issue Bonds payable Jan 1st 1868: with a proviso that No bonds should
be issued for debts, less than One hundred dollars. These bonds
have become due for nearly two years, and the interest has been made for
their payment; and they are no longer to be depended on, as a means
in the payment of Public taxes. That evils to the bondholder in
justice of this case, either by a subsequent law, the property of the County
is exempted from execution, by which the holders of these bonds are left with
all any legal remedy, a Remedy is more important to every Territorial Com-
munity than good faith in all their public engagements; and it is, therefore
to be hoped the County will make an early provision for the payment of
these bonds. If this should not be done, it is but simple justice that the
Legislature should place the holders of them in as favorable circumstances as when they
relinquishing them to be divided into smaller amounts, and making the
property of the County responsible for their payment.
I should not forget, at this time, that I have heretofore called
of the duty and advantage of having such surveys as will be sufficient
for our future wants, when a judicious administration of the
Land Office and impose to some extent at least, the necessity of the
All experience shows that Wise and economical
wise and powerful, exacts an appropriation for these purposes
things; and I, therefore, recommend this
consideration. Ex. Ed. L. L.

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did not call your attention again to the justice and propriety of paying the claims of the Territorial and County officers according to the provisions of their laws. This would not only be just and proper in itself, but would bring these claims at once to par or nearly so, and prevent the speculation in the public debt. Under such a regulation, you could not pay warrants when presented, the holders of them would draw them whenever time served. Some come, & would part with them at a discount, & they may even be glad to, rather than wait; and this be often the case public debt is not one great source, such injustice done to your public creditors will fall heavily on you for redress.

An act was passed by the last Legislature, providing for a Collection of the laws of the Territory, and I was directed to appoint commissioners for that purpose. Should the interest on the fund for collecting the Statutes fund, and would be considerable, I thought it best, in the first place, to address a letter to the Secretary of the Treasury to know if any of the fund could be so applied without authority from Congress. My question submitted. My letter to the Comptroller of the Treasury, and he replied that he concurred with the Governor as to the value of such a work, and the propriety of such an expenditure, but said he could not authorize the payment out of the Organic fund, without a resolution of Congress to that effect, which he thought might be very easily obtained upon a proper application to Congress. The correspondence is on file for inspection if desired.

In obedience to a resolution of the Legislature I applied to the Secretary of the Treasury for a further appropriation of the Organic fund to complete the repairs of the "Old Palace" and he promptly authorized the same asked for to be applied to that purpose. This has enabled me to complete the repairs, I hope in a satisfactory manner, except the front portal, which will be done as early in the Spring or Summer as lumber can be obtained for that purpose. These repairs have enabled me to place all the departments of the Territorial Government, and to furnish a Committee room, of one should be found necessary. The just & liberal spirit shown by the Secretary of the Treasury in acting to rescue from impending ruin this ancient edifice, as worthy of all commendation.

Our Indian relations remain about the same as at your last Adjournment. The Territory still suffers from title and boundary lands of Navajos that roam at large over extensive domain. This must continue, until the Government shall adopt the wise policy of treating their Indian tribes within fixed limits, beyond which they shall not be allowed to pass. The Navajos, as heretofore, in the late outbreak against them, were certainly not responsible, nor was their treason altogether unprovoked. On the contrary, at times they were grossly wronged and plundered by their more legal and civilized neighbors. There are, indeed, many good citizens among them who are anxious to avail their lands cultivated, and to maintain friendly relations. These are restrained & debarred by our system and good will, but unable to discriminate, like officers, they seem inclined to retain their lands, and must, therefore, sooner or later, be chastised or punishment

1859

Your Excellency, the
claims to settle the accounts due the service
under the Subsistence Dept. Officers did not there
but on the contrary, refused that section of the
bill for Indian depredations. It becomes, therefore, more
necessary of the Territory to protect themselves against the
depredations of the Navajo Indians, who have become restless and
insolent as having been so liberally treated by the United States
by the Government of the United States for the benefit of the
Territory, as the citizens call her Citizens. She has sent here, for
nearly one Seventh of her Standing army. But if she were to send
much larger number it would not be sufficient to protect any settle
against these wild Marauders. She has, therefore, in addition granted
the Territory with a large supply of arms, to enable the people better to protect
themselves; and they are called upon to carry consideration to use them for their
purpose. Assisted, as I cannot doubt, has your wisdom and the well known of your
liberal wisdom, in the passage of such laws as may there be necessary to protect
settled as having been so liberally treated by the United States. I
The inhabitants commenced praying to Hercules to extricate them from
Hercules replied, Hygiene, put your shoulder to the wheel and help yourself
and if not able, then call to Hercules, and assure him you will do your
the address of Hercules, Well your settlement against Comanches Apaches
tribes, and arm themselves provided by law; and when these Savages Mar-
auders descend upon the settlements to kill and murder, unbidden of calling
on Hercules to protect us, let us be ready to protect ourselves, and if necessary, to
slay our merciless invaders. The example of the Mexican Guard is worthy
of imitation, they have carried to help themselves, and through upon one oc-
casion, they may have carried their retaliation too far, it is not in human
Nature always to suffer injustice and wrong, unbridled sometimes being pursue
into a painful, but salutary retribution.

Having thus performed the duty imposed upon me, under
I fear, it will remains for the Honour, Council & Assembly to endeavour
to Co-operate with you in your efforts to promote the public good, and pray
that our joint labors may be crowned with success.

J. L. Pinckney

Executive Office, Territory of New Mexico
December 9th 1859

December 29 The Governor this day Commissioned Julius C. Shaw to be Notary Public
for the County of Taos, resident at Fort Union.

" 20. The Governor this day approved and Signed a Joint Resolution providing
the printing of the Governors Annual Message

" 29. The Governor this day Commissioned Julius C. Shaw to be
for the County of Taos, resident at Fort Union

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1859
December 31st The Governor this day approved and Signed the following entitled Acts to wit
1. "An Act, abolishing the eleventh precinct in Valencia County" and
"An Act, creating two additional precincts in Socorro County".

1860
January 4. The Governor this day delivered the following Special Message to the Legislative Council — to wit:

Executive Department
Santa Fé, January 4th 1860

To the President of the Council.

I herewith inclose sundry Resolutions adopted by a portion of the people of Dona Ana, asking the appointment of a Justice of the Peace and Constable for Gila City and its vicinity. It does not appear that there is any such Precinct, and therefore some legislation is necessary. The County of Dona Ana seems to have withdrawn prematurely, and, in my opinion, unwisely from all participation in the Government of this Territory; but it will be no doubt the pleasure of the Legislative Assembly to provide for the wants of the people of that County, as far as they can be made known without any representatives on their part in the Legislative Assembly. I therefore recommend the subject to the favorable Consideration of the Legislative Assembly.

(Signed) A. Rencher — Gov.

January 9 The Governor this day approved and signed "An Act amendatory of the Militia Law of this Territory"

January 12. The Governor this day approved and signed the following entitled Acts to wit.
1. An Act, creating an additional precinct in Bernalillo County, — and
2. An Act to amend An Act concerning certiorari in certain cases,

January 14 The Governor this day approved and signed An Act establishing and regulating the fees and compensation of Executors and Administrators.

January 16. The Governor this day approved and signed the following entitled Acts to wit:
1. An Act, to establish and regulate Arbitration,
2. An Act, to amend the Law of attachments,
3. An Act, amendatory of the Law providing a change of Venue in Civil cases before Justices of the Peace.
4. An Act, repealing a part of An Act relative to Revenue, approved February 1st 1858, and reviving part of the Revenue Law in the Kearney Code.

1860
January 14th The Governor this day caused to
Council the following Communication

To the Gentlemen of the Council

I hereby nominate, and
consent and advice of the Council do appoint Spruce
to be Attorney General for the Territory of New Mexico
Years from and after the expiration of his present Commission
I also nominate and by and with the consent and
of the Council do appoint Charles Blummer to be Treasurer of
Territory of New Mexico for two years from and after the expiration of
his present Commission
I also nominate and by and with the consent and advice
of the Council do appoint Augustus De Marcy to be Auditor of
Public accounts for two years from and after the expiration of his
present Commission
In all of which I ask the concurrence of the Council
of the Legislative Assembly

A. Rencher
Govrnr of N. Mexico

January 18. The Governor this day commissioned the following County Officers
for the 10th precinct of Dona Ana County — to wit.
P. Howard Wells — Justice of the Peace
William Burke — Constable.

January 20 The Governor this day approved and signed the following entitled Acts of
the Legislative Assembly — to wit.
1. An Act, changing the County ~~City~~ Seat of Rio Arriba County.
2. An Act, repealing An Act creting precinct No 15 in Rio Arriba County
3. An Act, creating an additional precinct in Rio Arriba County.
4. A Joint Resolution permitting Volunteer Campaigns.

January 24 The Governor this day approved and signed the following entitled Acts to wit
1. An Act to change the County Seat of San Miguel County.
2. " " to extend precinct No 16, in the County of San Miguel
3 " " providing for the paying of Interpreters in Court
4. " " uniting precincts No 7 and 22 in the County of Taos

January 25. The Governor this day approved and signed "An Act amending the law re-
tive to Jurors"

Janry. 26 — The Governor this day approved and signed An Act para
trial of the right of property in certain Cases and
Also approved and signed An Act to fix the time
apportioning the Council and House of
tive Assembly of the Terr

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1860

January 27 The Governor this day approved and signed the following entitled Acts of the Legislative Assembly — to wit:

1. An Act to regulate the trial in Cases of Contested Elections,

2. An Act providing means for the Education of Children

January 27 The Governor this day, by and with the advice and Consent of the Council, appointed and Commissioned the following Territorial Officers — to wit:

Spruce M. Baird — Attorney General for the Territory of New Mexico

Charles Blummer — Territorial Treasurer

Augustus De Marle — Auditor of Public Accounts

January 30th The Governor this day approved and signed "An Act to regulate the appointment and duties and responsabilities of Guardians"

January 30th The Governor this day Commissioned the following Volunteer Officers of the Volunteers Companies of the County of Socorro — to wit:

Guadalupe Jaramillo	Commander of the Socorro Volunteers	
Pedro Pelarde	Captain of Volunteer Company	No. 2, Socorro County
Celso Cuellar Medina	Captain of Volunteer Company	" 1 " "
Jesus Luna	Lieutenant Adjutant of Volunteers Companies	Nos. 1 & 2 "
Manuel Chavez	1st Lieutenant of Volunteer Company	No. 1. " "
Pedro Aldrete	1st " " "	No. 2. " "
Mauricio Sanchez	2nd " " "	No. 1 " "
Juan José Velasquez	2nd " " "	No. 2. " "

January 30th The Governor this day appointed and Commissioned Pierce B. Cornwall to be a Commissioner of Deeds in the State of California, resident at San Francisco, for the Territory of New Mexico.

January 31st The Governor this day approved and signed the following entitled Acts of the Legislative Assembly of this Territory — to wit:

1. An Act to incarporate a Company to construct Bridges over the Rio Grande.
2. " " Creating precinct of the Placitas a Sangre de Cristo, No. 10, in Valencia County
3. " " Regulating the relations between Masters and apprentices.
4. " " Requiring the Judges of the District Court to hold special terms of their Courts in Certain Cases, and for other purposes.
5. " " to Restrain the sale of Spirituous liquors to Soldiers and others.
6. " " to prevent the Indians from Committing damages upon the fields and Ranchos of the inhabitants by turning loose their mules and horses
7. " " relative to Orphans, the poor, and for other purposes.
8. " " to prohibit any person from holding two or more offices of honor and profit in this Territory.

1860

February 1st The Governor this day approved &c
of the Legislative Assembly — to-wit —
1. An Act, creating and organizing the
2. " " to establish a new precinct in the Co.
3. " " amending An Act creating two ad.
County of San Miguel, approved January
4. " " establishing an additional precinct in the
5. " " authorizing the Governor of the Territory to de-
liver escaped Criminals from justice.
A Joint Resolution providing for the publication of the Acts of
February 2nd Present Session — and —
A Joint Resolution providing for the printing of the Governor's Spec.
Message.

February 2. The Governor this day approved and signed the following entitled
Acts — to-wit.
1. An Act fixing the times and places of holding the District Courts
in the different Counties.
2. " " Relative to the Supreme Court
3. " " for the relief of John S. Watts
4. " " giving jurisdiction to the Probate Courts in Civil causes
and for other purposes.
5. " " prohibiting the Carrying of weapons Concealed or otherwise
6. " " Regulating mercantile Copartnerships.
7. " " amending the vagrant laws and declaring who are va-
grants and providing the punishment and Correction of the same.
8. " " to prohibit the introduction of animals within certain limits
9. " " Repealing part of An Act approved July 20th 1857.
10. " " to incorporate the New Mexico Railway Company
11. " " to incorporate the Historical Society of New Mexico
12 " " to incorporate the Mesilla Mining Company.
13. " " Creating and establishing two additional precincts in the
County of Dona Ana.
A joint Resolution providing for the publication of the Acts of the
Sessions 1855-6 and 1856-7.
" " Requesting the Post-Master General to re-establish the
Central Mail from Neosho Mo, through Albuquerque to Los
in California.
" " asking information from the Governor Relative to the Treat
made with the Navajo Indians in 1859.
" " providing for the printing of a Special Message from the
" " providing for the printing of An Act amending the
Militia Law of this Territory

1860.

February 18 The Governor this day issued the following Proclamation —

Proclama.

Abraham Rencher,

Gobernador del Territorio del Nuevo Mejico.

A todos á quienes pertenecière:..

Por cuanto que, por un Decreto, pasado en la última sesion de la Asamblea Legislativa de este Territorio, "Creando y organizando los Condados de Arizona y Mora", está hecho el deber del Gobernador de expedir su Proclama al Juez de Pruebas del Condado de Taos, dirijiendole mandar que haga una Eleccion en el nuevo Condado del Mora, para la eleccion de un Juez de Pruebas y Alguacil Mayor para el dicho Condado de Mora, los retornos de la cual serán hechos al Juez de Pruebas del Condado de Taos, y por él, los votos serán contados y los retornos remitidos al Secretario del dicho Territorio. Por lo tanto:

Yo, Abraham Rencher, Gobernador del Territorio de Nuevo Mejico, ordeno y dirijo: Que sean abiertas las Elecciones en los varios precintos de votacion en el nuevo Condado de Mora de este Territorio el primer Lunes de Marzo proximo de 1860, para la eleccion de un Juez de Pruebas y un Alguacil Mayor para dicho Condado: y que el dicho Juez de Pruebas del Condado de Taos, está por esta ordenado y dirijido, de dar avisos públicos en los parajes mas publicos en los varios precintos del Condado de lo de Mora, como tambien suplirá los libros de Matrícula necesarios para la dicha Eleccion, y nombrará los Correspondientes jueces de Eleccion y los avisos, señalarán los tiempos y lugares de tener la dicha Eleccion, la cual será Conducida segun la ley arreglando Elecciones.

Hecha en la Ciudad de Santa Fé, hoy dia 18 de Febrero de 1860.

(Signed) A. Rencher
Gov. N. Mexico.

By the Governor
A. M. Jackson,
Secretary of the Territory.

February 20th The Governor this day Commissioned the following named Volunteer Officer of a Company in Socorro County — to wit:

Pedro Velarde — Captain of the Company
Pablo Montoya — First Lieutenant
Pablo Alderete — Second do

February 22 The Governor this day Commissioned the following County officers in and for the County of Santa Fé — to wit:

Ygnacio Trujillo to be a Justice of the Peace for 2nd Prect.
Nicolas Sandia to be a Constable " " do
Miguel Navarro " " " " 6th do

1860
March 13. The Governor this day commissioned
were elected at the special Election held on
Vicente Romero — Probate Judge
William A. Brandford — Sheriff.

March 13 — The Governor this day Commissioned Antonio
the Peace of Precinct No. 16 in the County of Taos.

March 31 — The Governor this day issued the following Proclam

Proclama.

Abraham Rencher
Gobernador del Territorio de Nuevo Mejico.

A todos á quienes pertenecierе:

Por virtud del poder que me es conferido por la Ley
Yó, Abraham Rencher, Gobernador del Territorio de Nuevo Mejico,
por esto, ordeno y dirijo, que sean abiertas las Elecciones en los varios
precintos de votacion en el Condado de Dona Ana, de este Territorio,
el dia 23 de Abril proximo, para la eleccion de un Juez de Pru
bas para dicho Condado para llenar la vacante causada por la resigna
cion de Anastacio Barela — Y —

Por lo tanto, el Juez de Pruebas de dicho Condado de Dona Ana
está por esto ordenado y dirijido de dar avisos publicos, en los parajes
mas publicos de dicho Condado, de los lugares y tiempos de tener la dicha
Eleccion, la cual será conducida segun los preceptos de la ley arreglando
elecciones.

Hecha en la Ciudad de Santa Fé, hoy dia 31 de Marzo
de 1860

Por el Gobernador (Signed) A. Rencher
A. M. Jackson Gov. N. Mexico
Secretary of the Territory.

March 31. The Governor this day appointed and Commissioned Melvar Randulph
to be a Notary Public in and for the County of Taos, resident at Fort
Union in this Territory.

April 12. The Governor this day Commissioned José Gonzales, to be a Justice of the
Peace for 5th precinct, County of Santa Fé

May 17th The Governor this day Commissioned Vicente Gonzales, to be a Justice
the Peace, and Antonio Nunnis to be a Constable for the Precinct
San Antonito in Bernalillo County.

May 22nd The Governor this day issued this order to the Sheriff of the County
directing the execution of the sentence passed against Thomas Sin
term of the United States District Court at Albuquerque, for
Juan de Dios Lucero.

1860

June 12th The Governor this day appointed and Commissioned Roger S. Greene to be a Commissioner of Deeds in and for the City and State of New York, for the Territory of New Mexico.

June 12th The Governor this day appointed and Commissioned Charles Walker, to be a Commissioner of Deeds in and for the District of Columbia, residing at Washington, for the Territory of New Mexico.

CANCELED

July 9th The Governor this day Commissioned Gabriel Lucero, to be Sheriff in and for the County of Taos in this Territory.

July 20th The Governor this day appointed and commissioned Richard H. Tompkins, Attorney General for the Territory of New Mexico. Such appointment to take effect on the 26th day of this inst.

August 7th The Governor Commissioned the following Officers of a Volunteer Company in the County of Santa Fé, of the Militia of the Territory of New Mexico, to-wit:

José Baca y Delgado — Captain of the Company
Nazario Gonzales — 1st Lieutenant " "
Manuel Baca y Delgado — 2nd " "

Also commissioned the following Officers of another Volunteer Company, in the same County, of the Militia of the Territory of New Mexico, to-wit:

Francisco Leiva — Captain of the Company
Esteban Sena — First Lieutenant " "
José Silva — Second " " "

August 18th The Governor this day issued his Proclamation to the Judges of Probate of the Counties of Santa Ana and Bernalillo, ordering the election of a Member for the Legislative Council to fill the Vacancy Caused by the resignation of the Hon. S. M. Baird Councellor of that Senatorial District

August 31. The Governor this day issued the following Order to the Sheriff of Santa Fé County for the execution of the sentence passed against Thaddeus M. Rogers at the August term of the District Court for the County of Santa Fé — to wit:

Los Estados Unidos de America
Territorio de Nuevo Mejico

Al Alguacil Mayor del Condado de Santa Fé — Salud.

Por Cuanto que he recibido informacion oficial, que en un Término de la Corte de Distrito de los Estados Unidos, por el Primer Distrito Judicial, tenida ante y por el Condado de Santa Fé, en el dicho Territorio del Nuevo Mejico, principiada y tenida el primer Lunes (dia 6) de Agosto A.D. 1860, un Thaddeus M. Rogers, fue convicto en la dicha Corte del crimen de muerte cometida sobre la persona de Jesus Macario Ceballos, y que fue sentenciado por la dicha Corte de

[illegible] Estas, por lo tanto, para mandar á V. que el dia 14 del mes de 1860, Usted V. E. al dicho Thaddeus M. Rogers, de [illegible]

1860.

proprio dentro los límites del dicho Condado
del Palo de esta Vandera en la Plaza Pública de
Condado, y entre las horas de las diez de esta mañana
dicho día, Vd allí y entonces Ahorque al dicho
pescuezo, hasta que esté muerto, muerto, muerto, y que
de Dios alma.

Dado bajo mi mano y Sello oficial en esta
Fé, hoy día 31 de Agosto A.D. 1860.

Seal

(Signed) A. Reynolds
Gov. N. Mexico

Por el Gobernador:
A. M. Jackson,
Secretario del Territorio.

August 31. The Governor this day issued a similar Order as the foregoing, to the Sheriff of San Miguel County, for the execution of the sentence passed against Juan Jacobo Viera, being convicted of the murder of one Pablo Abeyta, at the August term of the District Court held in said County. Said Order to be executed on the 21st day of September next.

September 10. The Governor this day Commissioned the following County Officers who were elected at the late General Election held within their respective Counties on the third day of the present month. Viz:

For the County of Santa Fé:

Justices of the Peace.

Jesus Ma Ortiz for 1st Prect.
Francisco Dominguez " 2nd do
Ramon Sena " 3rd do
Aniceto Abeytia " 4th do
Ysidro Montoya " 5th do
Nicolas Pino " 6th do
Miguel Gonzales " 7th do
José Chaves " 8th do
Juan Fran Roibal " 9th do

Constables.

José Pulito Romero for 1st Prect
Juan Benavidez " 2nd do
Pedro Sanchez " 3rd do
Rafael Rodriguez " 4th do
Felipe Romero " 5th do
Juan de Dios Castro " 6th do
Miguel Lucero " 7th do
Antonio José Pineda " 8th do
Rafael Montes Vigil " 9th do

For the County of Santa Ana:

Justices of the Peace.

Prudencio Baca
Bautista Mestas
José Montano
Salvador Barreras

Constables.

Tomas Salas
Eleuterio Chaves
Pedro Baca
Antonio Sarano Baca

September 10. The Governor this day appointed and Commissioned Thomas Ho to be Notary Public for the County of Taos, residents of Taos in this Territory.

1860.

September 11. The Governor this day Commissioned the following County Officers, who were elected at the late General Election — to wit:

For the County of San Miguel:

INDEXED

Pedro Aragon for 1st Dist. Justice of the Peace.
Roman Martinez " 2nd. do
Sacramento Montoya " 4th do
José Ramon Ulibarri " 5th do
José María Chavez " 6th do
Severo Baca " 7th do
Antonio Vigil " 8th do
Juan Bernal " 9th do
Manuel Flores " 10th do
Manuel Aranjo " 11th do
José Ramon Bestas " 13th do
Antonio Gallegos y Baca Sheriff.

Marcial Prada for 2nd Dist. Con. Tables
Pablo Aragon for 3rd do
Leandro Gutierrez " 4th do
Antonio Garcia " 5th do
Victorio Romero " 6th do
Ramon Gallegos " 7th do
Emenegildo Vigil " 8th do
Tomas Gurule " 9th do
Teodosio Salas " 10th do
Francisco Rivera " 11th do
Juan José Varela " 13th do

For the County of Bernalillo:

Juan Pablo Sena
Antonio Serna
Ygnacio Romero
Francisco Montis
Pablo Griego
Ambrosio Garcia
Marcus Sobato
Juan Torres
Trinidad Garcia
Salvador Crespin
Nasario Lopez
José Griego

Justices of the Peace.

Pedro Antonio Salazar
Salvador Arias
José Garduno
Rafael Gallego
Isidro Apodaca
Pedro Sosalta
Luis Sanchez
Miguel A. Jos Sanchez
Jesus Silva
Franco Trujillo
José de la Cruz Gonzales
José Dionicio Griego

Constables.

September 12. The Governor this day appointed and Commissioned Thompson M. Turner to be Notary Public for the County of Arizona in this Territory.

September 14. The Governor this day Commissioned the following County Officers who were elected at the late General Election to wit:

For the County of Rio Arriba:

Antonio Sobato for 1st. Dist. Justices of the Peace.
Ramon Rivera " 2nd do
Jesus Maria Lucero " 3rd. do
Jose Romulo Martinez " 4th. do
Geronimo Gallegos " 5th. do
José Miguel Montis " 6th do
Vicente Martinez y Gomez " 7th do
Rafael Trujillo " 8th do
" 9th do
" 10th do
" 11th do

Felipe de Herrera for 1st Dist. Constables.
Tomas Martin " 2nd do
Juan Antonio Pena " 3rd do
Vicente Montoya " 4th do
Juan Trujillo " 5th do
José Manuel Varos " 6th do
Juan Trujillo " 7th do
Juan Guadalupe Martin " 8th do
Ygn.o Chacon " 9th do
Juan Bustos " 10th do
Juan Manuel Martin " 11th do
Pablo Velasquez " 12th do
" 13th do

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September 14

For the County of Taos.

Victor Cisneros
Ventura Pacheco
Francisco Varela
Francisco C. Chavez
Pedro Gallegos
Pablo Martinez
Juan Sanchez
Miguel Griego
Faustin Medina
Ygnacio Pacheco
Juan Julian Martinez
Miguel A. Martinez
Pedro Sanchez
Antonio Cisneros
José Gabriel Martinez
Jesus Valdez

Justices of the Peace.

[illegible]
Miguel [illegible]
Juan Bautista [illegible]
Diego Aguilar
Pedro Mayes
Felipe Lopez
Juan de Dios Vernal
Pedro Lucero
Juan Esquivel
Higinio Manzanares
Pedro Ortega
Juan Bta. Vigil
Agapito Martinez
Francisco García

Constables.

September 21. The Governor this day Commissioned the following County Officers in and for the County of San Miguel to wit

Elias Baca for 1st. prec.t Justice of the Peace
Ramon Archuleta " 12th. do " " "
Pedro A. Archuleta " 14th. do " " "

Juan Esteban Gallegos for 1st. prec.t Constable
Marcos Archuleta " 12th. do " "
Luis M.a Abeyta " 14th. do "

Septemb. 21 The Governor this day Commissioned the following County Officers who were elected at the late General Election — Viz.

For the County of Valencia:

José Castillo
Juan Sanchez y Baca
Juan José Sisneros
Manuel Olona
Cesario Sanchez
Dolores Gallego
Mucio Chavez
Felix Chavez
José Trujillo
Pablo Padilla

Justices of the Peace.

José Manuel Chavez
Mateo Pena
José Cordova
Juan Sisneros
Dimas Torres
Jesus Luna
Yginio Miranda
Desiderio Miranda
Saribio Trujillo
Juan Andres Padilla

Constables.

For the County of Socorro:

L. M. Baca
Juan Naranjo
Pedro Torres
Pablo Montoya
Sam.l Ant.o Gonzales
Roberto Chavez
[illegible]
Pablo [illegible]
Juan Jose Varela
[illegible]

Justices of the Peace.

Antonio Gonzales
Pablo Padilla
Rumaldo Silva
Sam.l Pacheco
[illegible]
"

Constables.

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For the County of Mora.

Justices of the Peace

Juan José Gallegos for 1st. Prec.
Agapito Vigil " 2nd. do
Andres Pacheco " 3rd "
Lorenzo Romero " 4th "
José Ledux " 6th. "
José Miguel Bernadet " 7th. "
Apolonio Garcia " 8th "

Constables

Rafael Valdez for 1st. Prec.
Luciano Ortega for 2. do
Juan Vigil " 3rd "
Jesus Ma. Romero " 5th. "
Jesus Ma. Garcia " 6th. "
Luis Baca " 7th "
José Rafael Bretas " 8th "

Sept. 29. The Governor this day Commissioned the following County Officers for the County of Dona Ana, elected at the late General Election viz:

Justices of the Peace.

Pablo Melendres for 2nd Prec.
Manuel Nevarez " 3rd. "
Cesario Duran " 4th "
Apolonio Varela " 5th "
Pablo Madrid " 6th. "
José Maria Marquez " 7th "
Vidal Nevarez " 8th "

Constables.

Dimas Barrio for 2nd Prec.
Antonia Calles " 3rd "
Antonio Gonzales " 4th "
Guadalupe Barrio " 5th "
Victor Pineda " 6th "
Longino Baranda " 7th "
Nazerino Duran 8th. "

October 22nd The Governor this day Commissioned the following Officers of a Volunteer Company in the County of Santa Fé, being of the Militia of the Territory of New Mexico — to wit:

Miguel Archibeque — Captain of the Company
Rafael Rodriguez y Quintana — First Lieutenant " "
José Dolores Griego — Second Lieutenant " "

October 29th The Governor this day issued a Proclamation to the Probate Judge of the County of Valencia, ordering an Election in said County for a Member to the House of Representatives of the Legislative Assembly of this Territory, to fill the vacancy caused by the resignation of the Hon. J. Francisco Chavez.

October 29th The Governor this day Commissioned the following Officers of a Volunteer Company in the County of Santa Fé, being of the Militia of the Territory of New Mexico — to wit

Ignacio Valdez — Captain of the Company
José Manuel Ortiz — 1st Lieutenant " "
Pablo Ortiz — 2nd Lieutenant " "

October 30th The Governor this day Commissioned the following County Officers for the 15th Precinct in the County of Rio Arriba in this Territory: to wit —

Pedro Salazar — to be Justice of the Peace
Juan Lopez — to be Constable.

The Governor this day appointed and Commissioned Fletcher C. Andrew to be Notary Public in the State of California, for the Territory of

1860
November 23. The Governor this day appointed
to be a Commissioner of Deeds in the
of New Mexico.

December 4. The Governor this day commissioned the following Ma
of San Miguel in this Territory — to wit:
José Senazto to be the Sheriff of the County
Lorenzo Tafoya to be Justice of the Peace for the
Jesus Ma Tafoya — to be Constable
Santos Madrid — " do — " 13th

December 4. The Governor this day appointed and commissioned William Claude Jones
to be a Notary Public in and for the County of Dona Ana, residents at La Mesa

December 6. The Governor this day delivered the following Message to the Members of the
two Houses of the Legislative Assembly of the Territory of New Mexico to-wit:

Gentlemen of the Council
and of the House of Representatives.

It is made my duty by custom, if not by law, to deliver
to you, annually, a Message in person. I appear before you
to day to perform this duty, and to present, for your consi
deration, a few of the most important subjects of legislation
In a limited address, such as I propose to myself, it is
not possible for me to discuss all the great questions of
public interest, which may and ought to engage your atte
tion. I am sure it is not necessary I should. Coming as I
do, from every part of the Territory, and intimately acquain
ted with its wants, I trust to you to supply any omissi
on my part. It is equally unnecessary that I should rep
what I have therefore said, on the subject of Internal im
ment and that of public Schools. To develope the physic
and intellectual resources of a country, is the first and
important duty of a Statesman, and especially so in
Country like ours. We live in an age of progress, and
longer we stand still, and defer the work of improve
the greater and more humiliating will be the distance be
us, and other States and Territories, where their sisters
internal improvements and public Schools, under the fo
care of their Legislatures are ever and rapidly on
The law of your last Session, providing for t
ment of Comon Schools, is worthy of all praise
it is the Commencement of a good work, and i
value and magnitude often grow
Select the ch

failed to become laws.

Among these, was "An Act authorizing the Governor to appoint Police Officers for the City of Santa Fé." If it had become a law, it would have incurred a very heavy expense, which was to be paid by the County, instead of the City of Santa Fé. In my last Annual Message, I called the attention of the Legislature to the funded debt of the County of Santa Fé, and of the failure or inability of the County to discharge its public engagements. If this Act had become a law, the County would have been more burthened, and less able to pay her debts. The immediate Representatives of the County, therefore, were opposed to the measure, as well as the County authorities; and considering it altogether a local matter, I was not willing to force upon the County of Santa Fé, against the will of her Representatives, a burthen which she was unable to bear, and which was not borne by other Counties in the Territory. I am happy, to be able to say, that subsequent experience has shown that there was no unusual necessity for any such police; and that the County of Santa Fé, by the able and prudent management of her finances, is fast extricating herself from her public debt.

Another Act of the Legislative Assembly, which I could not approve, was An Act making the law for the protection of Slave property in this Territory applicable to "male or female Indians that shall be acquired from barbarous nations." The Act, seemed to be based upon the supposition that male or female Indians, acquired from barbarous nations, are slaves, which is not the case; nor is it within the power of this Legislature to make them so. The Legislature can neither create, nor abolish Slavery. They can only regulate it where it already exists, as any other species of property. If, therefore, any male or female Indians were in a State of Slavery, under the laws of Mexico, upon the cession of the Territory to the United States, the law above referred to might be made applicable to such property. The normal or native Condition of all our Indian tribes is that of freedom, and they cannot, under our laws, be made slaves either by Conquest, or purchase. We may hold them as Captives, or Prisoners, but not as slaves. When the Territory shall become a Sovereign State, she may, if she chooses to do so, exercise powers, in this respect, which she cannot do as a Territorial Legislature.

Another Act, passed at the close of the Session, and which I could not approve, was, "An Act, repealing the law providing for choosing and paying Grand and Petit Jurors." The law, which it was proposed to repeal, was enacted two years ago and received my approval. I have since been satisfied, from experience, that the law is a good one. Wherever the right of trial by jury exists, it is of the first importance to have a good jury; and it would be unreasonable to compel our fellow citizens to submit to the privation and expence of serving on a jury, without some little compensation. I could not, therefore, sanction the repeal of the law. If I had done so, we should have presented the strange inconsistency of refusing compensation to jurors in the District Court, and of paying them in the Court of Probate, for the same. Legislature passed an Act providing compensation for jurors in the County Court. As it now is, jurors in both Courts are paid alike, and, in my opinion, very properly. I recommended that each County should pay its own jurors, but the Legislature thought otherwise, and I felt it my duty to yield to their judgement, as I always do in matters of minor importance.

The Legislature [illegible] entitled to [illegible] reasons for [illegible] concurring with the last [illegible]

of none, but from a sincere desire to satisfy substantial objections.

Herewith, I lay before you the Treasurer, and that of the Auditor of Public Accounts, by which it appears that the amount of warrants, drawn upon the Treasury for the year ending Nov. 15, 1860, was, in round numbers, $17,685; of cash received, for the same year, was $18,445, making a surplus over expenditures, for the year, of $762. The public debt, on the 1st day of commencement of the year, was $4438. From this deduct $762, Receipts over expenditures for the year, and it will leave a balance of $3676, as the amount of the public debt of the Territory, as appears from these reports. But the Auditor states that some of the Counties have not yet made full returns, and that if they had done so, he should have been able to announce to the Legislature the gratifying fact, that the Territory was out of debt.

Two years ago, a law was passed providing for a codification of the laws of the Territory, and I was directed to appoint Commissioners for that purpose. But as the expense was to be paid out of the Legislative Fund, and would be considerable, if the work should be done as it ought to be, I thought it best first to ascertain from the Comptroller of the Treasury, whether such an expenditure would be allowed out of the Legislative Fund. In a letter to the Secretary of the Territory, the Comptroller stated that he could not authorize the payments out of that fund, without a Resolution of Congress to that effect, which, he thought might be very easily obtained upon a proper application to Congress. I submitted the subject to the Consideration of the last Legislature with the Correspondence relative to it. A prominent member of the Council addressed a letter to our Delegate in Congress, requesting him to have passed through that body the necessary Resolution; but he informs me that, from some cause, he received no answer, nor do I find any such Resolution among the subjects of Legislation which the Delegate, in his late address, engaged his attention during the last session of Congress. Deeply impressed with the great value of such a work to the people of the Territory, I again invite your attention to the subject.

The New Capitol, and Penitentiary, remain as heretofore, exposed to deterioration from the weather, as well as from other causes. An appropriation of sixty thousand dollars was made, at the last session of Congress, for the completion of the New Capitol; but the appropriation was coupled with such conditions that it is doubtful whether the Secretary of the Treasury will expend the money. He is forbidden to do so, unless he shall be entirely satisfied that the building can be completed within that amount. He has, therefore, sought of me a great variety of information to enable him to decide, but I have not yet been informed of his determination. The Penitentiary, I learn, is to have been abandoned, as nothing has been done upon it, nor have we received any further appropriation for the improvement of the public roads.

Our Indian relations, remain nearly the same as they were when I last addressed you. There was then an insurrection was against the Navajos, until Spring. Upon the arrival of the efficient troops under the command of [illegible] upon the arrival of [illegible]

1860.

Commander of this department, was ordered, by the Secretary of war, to make a vigorous campaign against these predatory and insolent savages. This duty was ordered assigned to Col. Canby, who has performed it. I am told with a vigour and success alike honorable to himself, and to the brave troops under his command. But success has not been achieved, without sustaining a painful loss. In the laurel wreath which adorns the brow of victory, we see entwined a cypress bough. The brave and lamented Captain George McLane, distinguished alike for his bravery. The service has to mourn the loss of one of its most gallant and promising officers; and the people of this Territory that of a friend, who was always foremost in her defence, and ever reckless of his own life while others were in peril:

"Now sleep the brave who sink to rest"
By all their Country's honorest blest"

brought to a close, and probably cannot be, this winter. The abandonment of the war last spring, and the subsequent inactivity on the part of our troops, had the most unfortunate effect upon these presumptuous savages. They construed it into weakness and timidity, and become more arrogant and daring than before. The people, therefore, suffered from their depredations, to an extent unexampled even in this Territory. These marauders pressed to the very walls of our largest towns, and carried off stock within view of their inhabitants. If during this delay and inactivity, on the part of the military commander, I had possessed the power and the means of calling an army into the field to chastise these marauders, I would have done so, at all hazards, and have confidently looked to Congress to reimburse the Territory for her expenditures. But the Governor of this Territory has no such power or means for raising and supporting an army for that purpose. He has neither a man, a dollar, nor any power to enable him to raise one. The only law on the subject of Volunteers "to assist" in protecting the Territory, and chastising the Indians, which Gov. Merriwether, who approved the Bill, said was only way in which intended to enable the Governor to call out Volunteers, upon the requisition of the Military Commander. This is the only way in which they can be called into the service of the United States, and when so called, they are paid as a matter of course, and without delay. I have, at all times, been ready to call Volunteers when so required. But to suppose that the Governor can of himself and under Territorial Laws, call Troops into the service of the United States is a proposition too absurd to require an argument. He can call them into the service of the Territory, and if Congress shall believe the service performed necessary and proper, it never fails to pay for such service, or if previously paid by the Territory, Congress refunds the amount, often more readily than if the application had been made in the first instance. Troops [illegible]

Such was the case with respect to
the acting Governor Mcreevey. They in
United States, as has been erroneously
into the service of the United States. In
an Indians insurrection or invasion at a time
commander absent, and could not have called
the military commander had been present, and
do without them. To me it appears the call was cor-
small, and both necessary and proper, and so thoug
Merriwether, in his letter to the Secretary of War, recommen
the claims; and yet it was difficult to induce the militia to
the call, and still more difficult to induce Congress to pay t
It was not until after five years of anxious doubt and delay, that
Congress rewarded their services; and not until after most of the
claims had passed from those who perfomed the service, into
the hands of a few who profited by it.

It was for these reasons, that when re-
quested by a respectable meeting in this place, to call a Regiment of
mounted Volunteers into the service of the United States. I declined
to do so, knowing I had no power whatever for that purpose. Nor
did I think it proper to call them into the service of the Terri-
tory, because I did not believe that Congress, under the circum-
stances, would pay them for their servies. Large reinforcements of
troops had just arrived from Utah, and other places, and the
military commander had given to the public an assurance
that they should be actively employed in protecting the Territory
and chastising the Navajoes. He had forty companies at command
more than sufficient, in his opinion, for this purpose, and could
not therefore accept of even four companies of mounted volun-
teers, which were tendered to him But though, for these reasons
mounted volunteers were not then, in my opinion necessary
I wished to conform my action, if possible, to the wishes of the peo-
ple who had suffered so severely from these marauding savages
I therefore stated to the meeting, that if they still wished a
Regiment of mounted volunteers, and were willing to provide
for its support in the field, and run the risque of being re-
imbursed by Congress, that I would assume the responsibility
of organizing it under the laws of the Territory, for the purpose
of giving more success to the expedition. This was rejected by the
meeting who preferred a Regiment without any legal organi-
zation, or any legal control. But even then I was anxious
that the expedition, if undertaken should be crowned
success, and therefore agreed to furnish them with
that I approved of the expedition as necessary,
less of its unauthorized character, but be
cess, and was unwill
it has that

any part of that failure, by refusing to supply the people with the proper arms.

The law which authorises the Governor to call out the Militia "to repel invasion," even if he had the means of supporting them in the field, is totally inapplicable to the predatory incursions of the Navajo Indians. In most cases, before information of their robberies could be conveyed to the Capital the marauders would have escaped with their spoils to the fast mesas of the mountains, and have been beyond successful pursuit. The Legislature, therefore, has provided for repelling such invasion by a law which not only "authorizes" but "requires" Militia Officers, in every district, to call out the Militia to repel such invasions. Being on the spot, they can often do it successfully. The only protection therefore, which I have been able to render the people in this thrpiss emergency, was to organize and arm independen Volunteers corps, for the protection of their families and property against these predatory invasions: and it affords me pleasure to be able to say that many of these corps have profermed this service in a manner worthy of all praise. They not only protected their homes and neighborhoods but have, under my instructions done some gallent and successful pursuits into the enemy's country, killing their savage invaders and recapturing the stolen property. A very large number of these corps have been organized and armed, until there are very few of the public arms left for distribution. They are now where they should be, in the hands of the people. I would therefore suggest the appointment of an Adjutant General for the Territory, with a suitable salary, whose duty it should be to see that the arms are properly kept, and the Companies drilled and practiced at least two days every year. This would greatly improve the military spirit of the people, and make them more effective troops when called into active service.

I have dwelt somewhat at length, upon the subject of our Indians relations, from an anxious desire to satisfy the Legislature, that as your Governor, I have done all that existing laws enabled me to do, and all that it was in my power to do, unaided as I have been, and often opposed in my efforts by the Military Commander, who alone has been invested with the power and the means of giving complete protection to the Territory and of punishing Indian tribes. But if the Legislature should be of opinion that the Territory should assume this weighty responsibility, they should authorize the Governor to call out volunteers for that purpose, and provide him with means to equip and support them in the field. Doubtless this has not been done [illegible] in the Federal Government,

1860.

and to give which it needs here,
double forces.

I have this, Gentlemen, to
and it may be my last annual Messa
To say, in conclusion, that as your Governor
I shall at all times to do my whole duty to the Terri
as I could to do it without giving offense to any
have not done all that in your opinion I might, or ou
done it has been owing more to want of ability, than of an
zeal to promote your welfare; and retiring from this high
I could which, and it would be no bad wish for the Territory
that he who shall succeed me, may be like me in his desires to serve
you, with more of ability to do with success.

December 14th The Governor this day appointed and commissioned Henry C. Banks, to be a Commissioner of Deeds for the State of New York, residents at the City of New York, for the Territory of New Mexico.

Decemb 21. The Governor this day commissioned Manuel Sandoval, to be Constable for 7th Precinct in the County of Mora.

December 28th The Governor this day approved and signed the following entitled Acts of the Legislative Assembly — to wit:

1. An Act Incorporating the Aliquiú, Pagosa and Barrerita Road Company
2. An Act, for the relief of Samuel Ellison, and
3. A Joint Resolution, requesting H. E. the Governor to require the several Probate Judges to render an account forthwith to the Assembly of the Indian depredations Committed in their respective Counties.

December 29 The Governor this day approved and signed "An Act, creating an additional Precinct in the County of Bernalillo.

December 29 The Governor this day commissioned the following named Volunteer Officers of a Company in the County of Santa Fé. to wit:

José Salas — Captain of the Company
José Maria Romero — First Lieutenant
Manuel Montoya — Second do.

1861.

January 4. The Governor this day commissioned the following County Officers for the County of Santa Fé

Fernando Sena — to be Justice of the Peace for 8th precinct,
José Rafael Aranga — to be Constable " " "

" " The Governor this day appointed and commissioned P. R. Brady to be Notary Public in and for Arizona Territory Fort Mohave, in this Territory.

January 4th The Governor this day approved a joint Resolution, inviting the several Judges of Probate and principal Citizens, to meet in the City of Santa Fe, on the 25, inst for the purpose of taking measures to relieve the people from further Indian depredations.

January 7th The Governor this day approved and signed the following entitled Acts of the Legislative Assembly to wit:
An act for the relief of Luis Griego. An act relative to the Probate courts in the Counties of Arizona and Mesilla and An act especially relative to the County of Santa Fé.

January 8th The Governor this day approved and signed the following entitled Act of the Legislative Assembly to wit:
An act changing the County seat of Arizona County and An act repealing "an act creating an additional precinct in the County of Bernalillo," approved January 12th, 1860.

January 11th The Governor this day approved and signed the following entitled Act of the Legislative Assembly to wit:
A joint Resolution, authorizing the translation and publication of the laws relative to last wills and testaments as compiled by Pedro Murilla Velarde.

January 12th The Governor this day approved and signed the following entitled Act of the Legislative Assembly to wit:
An act creating and establishing the County of San Juan, and An act prohibiting the remission of prisoners from one county to another.

January 14th The Governor this day pardoned Epifanio Prada, who had been tried and sentenced 7 years imprisionement at the September of the U. S. District court, at the August term thereof.

January 15th The Governor this day approved and signed the following entitled Act of the Legislative Assembly to wit:
An act amendatory of an act relative to damages done by Indians with their animals in fields, approved January 13th 1860.

January 21st The Governor this day approved and signed the following entitled Act of the Legislative Assembly to wit:
An act amendatory of the laws of the Interpreters in Courts. An act Concerning Revenue, Justices of the Peace and constables An act defining the duties of persons making Balls "An act Incorporating the Rio Grande Bridge company An act Incorporating the Rio del Norte Bridge Company." An act relative to appeals taken from sentences of the Prefect.

1861.

January 26th. The Governor this day approved and signed the following entitled Acts of the Legislative Assembly, to wit:

1st "An Act to Incorporate the Santa Fé Fire Co"

2d " " " Ammendatory of the law of last will"

3d " " to incorporate the Montezuma Hospital Association of New Mexico"

4th " " Establishing an additional precinct in Mora County"

5th " " providing for the incorporation of Cemeteries Associations"

6th " " relative to Justices of the Peace who shall fail to recognize in Criminal Cases"

January 29th The Governor this day approved and signed the following entitled Acts of the Legislative Assembly, to wit:

1st "An Act, amendatory of the law prohibiting Gaming"

2d " " requiring Acequias Reales in this Territory as public Acequias, be worked in Common by the owners or lessees of land from the mouth thereof to the end"

January 30th The Governor this day approved and signed the following entitled Acts, to wit:

1st "An Act, creating two additional Precincts in the County of San Miguel"

2d " " Incorporating Sierra Fraternity, in the County of Taos"

3d " " " to prevent Roads from being flooded or obstructed in their free travel"

4th " " relative to the Clerks of the Judges of Probate"

5th " " relative to the settlements of the Truchas, the Ojo Caliente, Vallecito de Sobato and Quemado, of the County of Rio Arriba"

6th " " to incorporate the New Mexico "Wool Manufacturing Company"

7th " " Ammendatory of An Act providing additional Precincts in the County of Taos, passed at the last Session of the Legislative Assembly"

8th " " Incorporating the Mining Company of the North" And

9th A Joint Resolution, providing for the printing of the Laws and Journals of the present Session of the Legislative Assembly".

January 30th. The Governor this day, by and with the consent and advice of the Council, appointed and commissioned Richard H. Tompkins to be Attorney General for the Territory of New Mexico.

January 31st The Governor this day approved and signed the following entitled Acts of the Legislative Assembly, to wit:

1st "An Act, fixing the times of holding the District Courts in the Counties of San Miguel, Mora and Taos,

2d " " requiring Indian Agents and Sub-Agents to distribute directly as they may have Indians, to deliver the annuities herein provided

3d " " Creating an additional precinct in the County of Taos

4th " " to incorporate the San Miguel Gold and Silver Mining

5th " " Ammendatory of the Court and Land

6th " " to incorporate the

7th " " to [illegible]

1861.

8 An Act, providing for the feeding of the prisoners of the County of Santa Fe.
9. " " To provide for the purchase of Powder, Lead, and Caps, and for other purposes.

Special Message from the Governor.

Executive Department Santa Fé January 19: 1861

To the House of Representatives of Territory of New Mexico

In compliance with the request contained in your Resolution, I have herewith transmit to the House of Representatives a copy of my letter to the Secretary of State, on the subject of the volunteers, and also of his answer thereto.

The services difficulties, allud to in the first paragraph of my letter, I feared was likely to arise from military forces acting in the same field of operations without any proper understanding or co-operation, especially as one of these forces was acting without any legal organization or legal control. Col. Fauntleroy had said he would not allow any independeal campaigns in the Navajo Country, not under his control, and had even threatened them with violence, although such campaigns might be authorized by the laws of the Territory. I had previously brought this subject to the notice of the Secretary of State, who requested the Secretary of war to give Col. Fauntleroy such admonitory instructions as would prevent so serious a difficulty in case of war, but the Secretary of war refused to do it. These are some of the serious difficulties, alluded to in my letter, and which Genl. Gaps no doubt understood, but which others might not without this explanation of what had previously occurred.

The inclosures, mentioned in the reply of Genl. Gaps as having been sent in my letter to him, was a copy of my address to the Public, before the meeting of the convention, and also a copy of the proceedings and Resolutions of the convention itself, which I think sustain and justify every statement contained in my letter to the Secretary of State, or in his reply to it.

Having made these explanations, which I consider necessary to a full and fair understanding of the correspondence I herewith submit it for the consideration of the House of Representatives.

A. Rencher
Gov. N. Mexico

January 6th R. H. Tompkins Esq. having been duly appointed and commissioned Attorney-General for the Territory of New Mexico, this day filed his Oath of Office in the Office of the Secretary of the Territory of New Mexico, which is as follows, to wit: